

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14888 of 2019

Ashok Kumar Singh @ Ashok Singh, aged about 50 years, Male, S/o Madan Singh Resident of Village Bhagwanpur, Singhbahni, PS Sonbarsa, Dist. Sitamarhi, P.D.S. Dealer, Panchyat Singhbahni, Block Sonbarsa.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna
2. The District Magistrate Sitamarhi, Dist. Sitamarhi
3. The District Supply Officer, Sitamarhi, Dist.Sitamarhi
4. The Sub Divisional Officer cum Licensing Authority, Sitamarhi Sadar, Dist. Sitamarhi
5. The Block Development Officer cum Block Supply Officer, Block-Sonbarsa, Dist. Sitamarhi

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate
For the Respondent/s : Mr.U.P. Singh, A.C. to SC – 4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2019 Learned counsel for the petitioner has filed mention slip stating that he may be permitted to withdraw this writ application with a direction to the Collector, Sitamarhi to disposed off his application. In course of hearing, however, learned counsel for the petitioner submits that he has yet to prefer an appeal before the District Magistrate, Sitamarhi against the order of cancellation of PDS License.

Learned counsel for the State submits that the



petitioner has a remedy under Rule 32 of the Bihar Targeted P.D.S. (Control) Order, 2016 (hereinafter referred to as the “Act of 2016”) wherein he can prefer an appeal before the District Magistrate, Sitamarhi and in case such an appeal is preferred the District Magistrate, Sitamarhi would be obliged to consider the same.

In the given facts and circumstances of the case, this court permits the petitioner to withdraw this writ application with a liberty to prefer an appeal before the District Magistrate, Sitamarhi (Respondent No. 2) within a period of 30 days from today, and in case such an appeal is preferred the same shall be considered by the Respondent No. 2 on it’s own merit and will be disposed off by a reasoned order within a period of three months from the date of filing of the appeal.

The Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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