

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5112 of 2018

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Arun Kumar Singh son of Ram Parikshan Singh, resident of Ward No.- 9,
Barauna, P.O. - Panapur, P.S. - Kerja, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna
2. The Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Sub Divisional Officer, West, Muzaffarpur.
5. The Block Supply Officer, Marwan, District Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar, Advocate
For the Respondent/s : Mr. Alok Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-05-2019 Heard Mr. Brajesh Kumar, learned advocate for

the petitioner and Mr. Alok Ranjan learned advocate for

the respondent/State.

The petitioner has challenged the order dated

02.02.2018 contained in Memo No. 178 passed by the

Sub-Divisional Officer, West, Muzaffarpur whereby the

PDS license of the petitioner has been cancelled on the

charges which were levelled against him.

Though the order takes note of the defence



raised on behalf of the petitioner but Mr. Brajesh Kumar, learned advocate has pointed out that the Inquiry Report was never served upon him for putting up an effective defence. He has further submitted that the grounds which were urged by the petitioner have not been appreciated by the licensing authority in correct prospective.

However, looking at the order impugned, this Court is not inclined to exercise its extraordinary jurisdiction without relegating the case of the petitioner to the Appellate Authority.

Should an appeal against the order impugned be filed by the petitioner within a period of six weeks from today before the District Officer in terms of Rule 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2015, the same shall be entertained by the Appellate Authority, who shall, after hearing the parties, pass necessary orders in accordance with law within the stipulated period provided for disposing off the



appeal.

With the aforesaid observation/direction, the
writ petition stands disposed off.

(Ashutosh Kumar, J)

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