

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23510 of 2018

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Dilip Kumar Singh Son of Ramdarshan Singh Resident of Village-Amorja
P.S. Charpokhari, Distt.-Bhojpur, Ara

... .. Petitioner/s

Versus

1. The State of Bihar through the Divisional Commissioner, Bhojpur Ara
2. The Divisional Commissioner, Bhojpur Ara
3. The District Magistrate, Bhojpur, Ara
4. The Sub-Divisional Officer, Piro, Bhojpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. S. Raza Ahmad- AAG5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-01-2019 Let the defect be ignored.

Although in the writ application the petitioner has prayed for quashing of the order dated 14.06.2012 issued under the signature of Sub-Divisional Officer, Piro, Bhojpur cancelling the Public Distribution License of the petitioner but in course of hearing Mr. Sanjeev Kumar Mishra, learned counsel representing the petitioner submits that the petitioner had earlier preferred an appeal in the court of District Magistrate, Bhojpur vide Appeal no. 12 of 2012-13 which was dismissed for default vide order dated 11.03.2016 and now the petitioner has filed a restoration petition which is pending consideration over there. Learned counsel therefore, makes a limited submission for a direction to the District Magistrate,



Bhojpur to consider the restoration petition of the petitioner, pass an appropriate order thereon and consider the appeal of the petitioner on its own merit.

Learned counsel for the State is present.

In the given facts and circumstances of the case, the District Magistrate, Bhojpur is directed to consider the restoration petition of the petitioner within a period of 30 days from the date of receipt/production of a copy of this order and pass an appropriate order thereon considering that the appeal preferred by the petitioner is of the year 2012-13. It would be just and proper that the appeal itself be listed along with the restoration application and may be heard on merit on the same day.

This writ application is allowed to the extent indicated above.

(Rajeev Ranjan Prasad, J)

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