

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7765 of 2020

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Shail Devi @ Mu Shail Devi Wife of Late Rajnath Prasad Yadav, Resident of village - Tenua, Meera Mushrai, P.S. Chapra, Muffasil, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Saran at Chapra.
2. The Sub-Divisional officer, Sadar Chapra, Supply Division Dist. Saran at Chapra.
3. The Block Supply Officer, Sadar Chapra, District- Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 29-09-2020

This matter has been taken up for hearing through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of physical functioning of the Court, and in any event within one month thereof. Learned counsel for the respondents states that he has no objection in this regard and the matter be taken up on merits in view of the stated urgency.

2. The present writ petition has been filed "*for a direction to the learned Collector, Saran at Chapra for disposal of Supply Appeal No. 37 of 2018 filed on 26.09.2018 against the order dated 18.09.2018 passed by the learned SDO, Saran at Chapra by which the PDS licence bearing no. 66/2016 of the petitioner was cancelled.*"



3. Mr. N.K. Agrawal, learned senior counsel appearing on behalf of the petitioner submits that Supply Appeal No. 37 of 2018 preferred by the petitioner on 26.09.2018 against the order of the Sub-Divisional Officer, Saran at Chapra cancelling the petitioner's PDS licence no. 66/2016 has not been considered by the learned appellate authority, despite lapse of two years.

4. Learned counsel for the respondents appears and has been heard.

5. Having heard the parties and considering that supply appeal against the impugned order of cancellation has already been filed on 26.09.2018 which is said to be pending, this Court is not inclined to enter into the merits of the matter.

6. The writ petition stands disposed of with a direction to the concerned appellate authority that the Supply Appeal No. 37 of 2018 dated 26.09.2018 said to have been filed against the order of cancellation passed by the Sub Divisional Officer, Saran at Chapra vide memo no. 1731 dated 18.09.2018, if pending before him, be considered and disposed of on its own merits after grant of an opportunity of hearing to the petitioner in accordance with law expeditiously and in any event preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

7. It is also made clear that in view of the ongoing Covid-19 pandemic, any correspondence between the parties may be made through e-mail and that the petitioner shall be at liberty to request the concerned authority for hearing through video conference. For this purpose, the petitioner shall furnish his mobile number and e-mail ID on the e-mail address of learned Advocate General not later



than by 05.10.2020 for onward transmission to the concerned authority.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	01.10.2020
Transmission Date	-

