

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21172 of 2019

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Mangal Ram, aged about 56 years (Male), S/o Late Darbari Ram, Resident of village Rampur, Panchayat Rampur Sambhuta, P.S. Aurai, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Muzaffarpur.
3. The Sub-Divisional Officer, (East), Muzaffarpur.
4. The District Supply Officer, Aurai, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Senior Advocate
For the Respondents : Mr. Upendra Pratap Singh, A.C. to S.C.4

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-11-2020 Heard Mr. N.K. Agrawal, the learned Senior Counsel

for the petitioner and Mr. Upendra Pratap Singh, the learned

A.C. to S.C.4, through video conferencing.

The petitioner filed this writ petition for quashing the order dated 12.09.2019, passed by the Sub-Divisional Officer (East), Muzaffarpur as contained in Memo No.1305, by which the PDS licence of the petitioner being Licence No.23-06-19-01/2016, has been cancelled.

Mr. N.K. Agrawal, the learned Senior Counsel for the petitioner assails the order on the ground that the order is passed violating the principles of natural justice and the show cause has not been considered, but I find that there is a provision of



statutory appeal and the petitioner without exhausting the statutory appeal, filed this writ petition.

In this view of the fact, I dispose of this writ petition with a direction to the petitioner to present the statutory appeal before the competent authority within one month from the date of receipt of this order and the appellate authority after condoning the delay shall dispose of the appeal of the petitioner within three months from the date of filing of the appeal.

With the aforesaid observation, the writ petition is disposed of.

(Prabhat Kumar Jha, J)

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