

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24377 of 2018

Avdhesh Paswan Son of Firangi Paswan Resident of village- Hemara, Village
Panchayat- Hemara, Police Station- Khizarsarai, Distict- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gaya
3. The Sub-Divisional Officer, Nimchak Bathani, H.O.- Khizarsarai, District-
Gaya.
4. The Block supply Officer, Khizarsarai, Dist- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Respondent/s : Mr.Arvind Ujjwal, SC-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2020 After some argument, the learned counsel for the petitioner seeks liberty to challenge the order dated 05.11.2018 passed by the Sub-Divisional Officer, Nimchak Bathani, Gaya by filing appropriate appeal under Rule 32(iii) of the Bihar Targeted P.D.S. (Control) Order, 2016 before the appellate authority. It is submitted that a copy of the enquiry report dated 27.06.2018 be also directed to be supplied to the petitioner herein. It is also the contention of the learned counsel for the petitioner that the petitioner be protected from the proposed certificate proceedings till the disposal of the appeal.

Having regard to the short submission made by the learned counsel for the petitioner, I deem it fit and proper to grant liberty to the petitioner to file appropriate appeal within a period of four weeks from today and in case such an appeal is



filed, the same shall be disposed off by the appellate authority by a reasoned and speaking order expeditiously preferably within a period of two months of filing of the Appeal by the petitioner.

It is needless to state that a copy of the enquiry report dated 27.06.2018 shall be supplied to the petitioner immediately i.e. within a period of one week of the petitioner approaching the Sub-Divisional Officer, Nimchak Bathani, Gaya. Thus it is directed that the petitioner would approach the Sub-Divisional Officer, Nimchak Bathani, Gaya within a period of one week from today for the purposes of obtaining the enquiry report in question so that he can file appropriate appeal in time. It is further directed that till the passing of the final orders by the appellate authority, no coercive steps shall be taken against the petitioner herein.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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