

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4214 of 2021

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Suresh Kumar @ Suresh Ram, S/o Paltu Ram Resident of Akauni Chand,
P.S.- Chand, District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna
2. The Collector, Kaimur at Bhabhua
3. The Sub Divisional Officer, Bhabhua, District- Kaimur
4. The Block Supply Officer, Chand, Bhabhua, District- Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That the present writ application is being filed on behalf of the petitioner above named for setting aside the order contained in memo no. 1657 dated 23.03.2018 passed by the learned Sub Divisional Officer, Bhabhua by which he was pleased to cancel the PDS license of the petitioner being license No. 29/2016 and also for quashing the appellate order dated 04.04.2019 passed in Supply Appeal No. 05/2018 passed by the learned Collector, Kaimur at Bhabhua by which he was pleased to dismiss the statutory appeal filed on behalf of the petitioner and further be pleased to restore the license and supply of the petitioner.



After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer a revision against the impugned order before the Revisional Authority.

Permission granted.

Learned counsel for the respondents states that if such a revision is preferred within a period of four weeks from today, the issue of limitation, if any, shall neither be raised nor allowed to come in the way of adjudication of the revision on merits.

Statement accepted and taken on record.

As such, petition stands disposed of in the following mutually agreeable terms:-

(a) Petitioner is permitted to prefer a revision within a period of four weeks from today;

(b) In the event of revision being preferred within a period of four weeks from today, the issue of limitation shall not come in the way of adjudication of the revision on merits;

(c) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so



required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Revisional Authority shall decide the revision on merits, in compliance of the principles of natural justice;

(f) The Revisional Authority shall pass a reasoned and speaking order, within a period of eight weeks from the date of filing of the revision, copy whereof be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(i) We have not expressed any opinion on merits and all issues are left open;

(j) Liberty reserved to the petitioner to challenge the order, before the appropriate forum, if required and desired.

The instant petition sands disposed of in the



aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	22.12.2021
Transmission Date	

