

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4345 of 2021

Chitra Lekha Kumari Wife of Janki Raman Resident of Village - Pokharsama,
Post - Milkichak, Police Station - Bahadurpur, Dist. - Darbhanga, Pin -
846009.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. Additional Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Collector, Darbhanga.
4. The Licensing Officer - cum - Sub - Divisional Officer, Sadar, Darbhanga.
5. The District Supply Officer, Darbhanga.
6. The Block Supply Officer, Bahadurpur, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary
For the Respondent/s : Mr.Alok Ranjan (AC to Aag 5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 13-04-2021 1. The present writ petition has been filed for quashing the order dated 05.01.2021, passed by the Licensing Officer-cum-Sub-Divisional Officer, Sadar (Darbhanga), whereby and whereunder the licence of the P.D.S. shop of the petitioner bearing Licence no. 17 of 2018 has been cancelled.
2. The learned counsel for the petitioner has submitted that the District Supply Officer, Darbhanga has visited the P.D.S. shop of the petitioner and found that though the petitioner has pasted her leave application on the notice board but the shop was open and no one is present there. The



learned counsel for the petitioner has submitted that though the petitioner has submitted a satisfactory reply to the show cause notice issued by the Sub-Divisional Officer, Sadar (Darbhanga) but without considering the same, the Licensing Authority has passed the impugned order dated 05.01.2021, for which an appeal is required to be filed.

3. Having regard to the facts and circumstances of the case and taking into consideration the materials available on record, I deem it fit and proper to dispose of the present writ petition, however with liberty to the petitioner to file appropriate appeal against the order dated 05.01.2021, passed by the Sub-Divisional Officer, Sadar (Darbhanga) and in case, appropriate appeal is filed within a period of six weeks from today, the same shall be considered by the appellate authority and shall be disposed of, in accordance with law, without being impeded by the issue of limitation as also considering the aforesaid issue raised by the learned counsel for the petitioner, within a period of six weeks thereafter.

(Mohit Kumar Shah, J)

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