

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5525 of 2021

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Mahendra Paswan son of Late Dipal Paswan resident of village Samar P.S. -
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and consumer
Protection Govt. of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Subdivisional Officer Pupari Sitamarhi.
4. The Block Supply Officer Bokhra Shamaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Advocate
For the Respondent/s : Mr. U.P. Singh, AC to SC 4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2021

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ order or direction for quashing the order dated 31-12-2020 passed by the Sub-Divisional Officer, Pupri as contained in annexure- 6 where by and where under the PDS licence No. 5/95 of the petitioner has been cancelled with immediate effect without giving any opportunity of hearing to the petitioner prior to cancellation of the licence and as such the action of the Respondent is not permissible in law and thus vitiated.”



Learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the Appeal/Revision to be filed by the petitioner, within a period of four weeks from the date of its presentation along with a copy of this order.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such appeal, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

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.

The petition stands disposed of in the aforesaid terms.



Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.12.2021
Transmission Date	

