

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5701 of 2021

Md. Hatim Miyan, S/o Diljan Miyan, resident of Ragunathpur Ward no. 9
Panditpur @ Bandhelwa, P.S.-Areraj, East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. Sub Divisional Officer, Areraj, East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar Mishra, Advocate Mrs. M. Jaiswal, Advocate
For the S t a t e	:	Mr.S. Raza Ahmad, AAG-5 Mr. Vishwambhar Prasad, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 15-11-2021 The petitioner has questioned correctness of an order dated 19.02.2020 passed by the Sub-Divisional Officer, Areraj (East Champaran)-Cum-Licensing Authority, whereby the petitioner's Licence No.40/2016 for running a shop under Public Distribution System has been cancelled.

This is not in dispute that the petitioner has statutory alternative remedy of appeal against the said order under Clause 32 of the Bihar Targeted Public Distribution System (Control) Order, 2016.

The application is accordingly disposed of with a



liberty to the petitioner to assail the impugned order before the appellate authority. If the petitioner prefers an appeal before the appellate authority within one month from today and seeks condonation of delay in preferring appeal on the ground that he was pursuing his remedy before this Court by filing present application, the appellate authority shall liberally consider the same and decide the appeal on merits. It is further expected that the appellate authority shall expeditiously dispose of the petitioner's appeal, preferably within three months from the date of presentation of the appeal.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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