

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15158 of 2018

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Yogendra Prasad Son of Shri Faudi Sah, Resident of Village and P.O.-
Khaira, P.S.- Khaira, District- Saran.

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
3. The District Magistrate, Saran, Chapra.
4. The District Supply Officer, Saran, Chapra.
5. The Sub-Divisional Officer, Sadar Chapra, Saran.
6. The Block Supply Officer, Jalalpur Prakhand, Saran.

... .. Respondent

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Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate

For the Respondents : Mr. U.P. Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 26-04-2021

Heard learned counsel for the petitioner and learned
counsel for the respondents through video conference.

2. The writ petition has been filed *"for quashing the impugned cancellation order dated 07.11.2017 contained in memo no. 2015 issued under seal and signature of the respondent no. 5, the Sub-Divisional Officer, Sadar Chapra, Saran whereby and whereunder the licence no. 34/2016 for the Fair Price Shop Gram Panchayat Raj, Nawada, Jalalpur, Saran of the petitioner has been cancelled; and further for commanding the State authorities to restore the petitioner's licence no. 34/2016."*

3. Learned counsel for the petitioner submits that the concerned respondent has erred in cancelling the petitioner's



licence. However, it is stated that the petitioner has filed Appeal No. 72 of 2017 against the impugned order of cancellation of licence before the Collector, Saran at Chapra, which is still pending.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievance and the stand of the petitioner, the writ petition is disposed of with a direction to the District Magistrate, Saran, Chapra (respondent no. 3) to consider and dispose of the petitioner's Appeal No. 72 of 2017, if still pending, on its own merits and in accordance with law after grant of opportunity of hearing to the petitioner, expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this judgment. To facilitate disposal, the petitioner shall furnish his mobile number and email ID to the respondent No. 3 within a week from today.

6. It is made clear that in view of the ongoing Covid-19 pandemic, any correspondence between the parties may be made through email and the petitioner shall be at liberty to request for hearing through video conference.

(Vikash Jain, J)

Ibrar/-

AFR/NAFR	NAFR
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