

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7333 of 2021

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Shivji Prasad S/o Vishwanath Prasad Resident of Village-Minapur, Post-Ninapur, Panchayat-Minapur, Ward No. 12, P.S.-Minapur, District-Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through Secretary, Department of Food and Consumer Protection, Government of Bihar.
2. The Secretary, Food and Consumer Protection, Government of Bihar.
3. The District Magistrate, Muzaffarpur, Bihar.
4. The Sub-Divisional Officer, Muzaffarpur, Bihar.
5. Block Statistical Officer, Mushahri, Muzaffarpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Shekhar Pandey, Advocate
For the State	:	Mr. S. Raza Ahmad, AAG 5
		Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 23-12-2021 Heard.

The petitioner is aggrieved by order dated 29.01.2021 passed by the Sub Divisional Officer, Muzaffarpur, by which the PDS license of the petitioner has been cancelled.

Though the order impugned is appealable under Rule 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016, but no appeal has been preferred by the petitioner.

We feel that the matter needs to be heard by the



competent authority. The limitation prescribed under the Rule for preferring the appeal has expired. The State has no serious objection to the bar of limitation in case the petitioner files an appeal.

We, thus, dispose off this writ petition with a direction that in case the petitioner prefers an appeal against the order impugned within two weeks, the competent authority will decide the same within four weeks, thereafter without being prejudiced by the period of limitation.

The writ petition stands disposed off.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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