

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6291 of 2020

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Panini Priye Ranjan Son of Vijay Sharma, Resident of Village Teliya Post
Nabiganj Bazar, P.S. Basantpur, District- Siwan.

... .. Petitioner/s

Versus

1. State of Bihar through Principle Secretary, Food Consumer Protection Department, Govt. of Bihar, New Secretariat, Building, Patna.
2. The Secretary, Food and Consumer Protection Department State of Bihar, Patna.
3. District Magistrate, Siwan, District- Siwan.
4. The District Co-Operative Officer, Siwan.
5. The District Supply Officer, Siwan.
6. The Sub- Divisional Officer, Maharajganj, District- Siwan.
7. The Sunil Kumar Singh, Son of late Bikrama Singh Resident of Village Kapadipur, Post Nabiganj Bazar, P.S. Basantpur, District- Siwan.
8. Amit Kumar Singh, Son of Ram Nath Singh, Resident of Village Kaparipur, P.S. Basantpur, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar
		Mr. Vijay Bardhan Pandey, Advocates
For the Respondent/s	:	Mr. Upendra Pratap 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 : 22-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

(I) For quashing the memo no.03 Mu dated 18.01.2020 issued by District Magistrate, Siwan (respondent no.3) whereby and whereunder license for the fair price distribution shop has been issued to respondent no.7 Sunil Kumar Singh for Gram Panchayat Raj Basauli in Block

Nabiganj, District, Siwan.

(ii) For direct the respondent authority to select the petitioner for grant the licence of the Fair Price Distribution Shop under Public Distribution System (Control) Order 2001 in Gram Panchayat Raj Bassauli, Block Lakari Nabiganj, P.S. Basantpur, District, Siwan for which we having fulfill all requisites / criteria as per the guidelines of the State Government.

(iii) Issuance of any other relief(s) as per the facts and circumstances of this case.”

Petitioner seeks permission to withdrawn this application reserving liberty to take recourse to alternative remedy which are equally efficacious, as stipulated under the provisions of Section 32(vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner’s application/request expeditiously and preferably within a period of six months from the date of its presentation.

While considering such representation, the period for

which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.

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

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.11.2021
Transmission Date	NA