

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5997 of 2020**

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Bindu Kumari @ Bindu Devi, Wife of Surendra Kumar (P.D.S. Dealer),  
resident of Village- Shahargama, tole- Dhamitol, Ward no. 02, P.S.- Parihar,  
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Supply Department Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The District Marketing Officer, Sitamarhi.
4. The Sub-Divisional Officer, Sitamarhi sadar, Sitamarhi.
5. The Marketing Officer, Parihar.
6. The Block Development Officer, Parihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Devendra Kumar, Advocate  
For the Respondent/s : Mr. S. Raza Ahmad ( AAG 5 )

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**

**Date : 23-11-2021**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“1 That by the writ application petitioner seeks indulgence to the Hon'ble court for issuance of writ/writs, order/orders/ direction/directions in the nature of mandamus and directing and commanding the respondent authorities for setting aside to Memo No. 13/MU/Aa dt. 24/7/2019 passed by the Sub-Divisional Officer, Sitamarhi Sadar. whereby whereunder the authorities have without issued any explanation/ show cause council the P.D.S Licence No. 57/19 whenever the authorities

have creative accounting for food supplied for distribution to this consumes.  
(ii) Further direction to the respondent authorities to re-instate the P.D.S dealer shop bearing Licence no. 57/19 in favour of the petitioner along with records.  
(iii) And any other relief and reliefs as your Lordships may deem fit and proper.”

Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as such, petitioner is granted liberty to avail the remedy of appeal against the impugned order before the concerned authority and if any such appeal is filed within 4 weeks then concerned authority shall condone the delay in filing the appeal, as the matter remained pending before this Court and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing

With aforesaid liberty, the writ petition is disposed of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Rajiv/veena-

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