

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8934 of 2021

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Afshan Nasim @ Afsha Nasim, wife of Syed Nasimuddin Ahmad, Resident of
Badi Masjid, Hamzapur, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Sub Divisional Officer, Sherghati, District- Gaya.
4. The Block Supply Officer, Amas, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Manoj Kr. Pandey, Advocate
	:	Ms. Preety Kunwar, Advocate
For the Respondent/s	:	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 The present petition has been filed seeking quashing of the order dated 10.02.2021, passed by the Sub Divisional Officer, Sherghati, Gaya, whereby and whereunder the P.D.S. license of the petitioner bearing License no. 07 of 2019 has been cancelled.

We find that admittedly, there is a provision of appeal under **Rule 32(iii) of Public Distribution System (Control) Order, 2016**, however the petitioner has not availed the said alternative remedy. On a query being made to the learned



counsel for the petitioner that as to whether the petitioner would like to prefer an appeal against the impugned order, the learned counsel for the petitioner submits that the petitioner would definitely file an appeal, however a stipulated time frame be fixed for disposal of the same.

Having regard to the facts and circumstances of the case, we deem it fit and proper to dispose off the present writ petition as not pressed, however grant liberty to the petitioner to file appropriate appeal within a period of two weeks from today, which shall be disposed of by the learned District Magistrate-cum- Collector, Gaya, on merits within a period of eight weeks, thereafter, by a reasoned and a speaking order.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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