

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6684 of 2020

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Mohan Prasad son of Late Narayan Sah @ Narayan Prasad Resident of
Mohalla Areraj Nagar Panchayat, Ward No. 13, P.s.- Areraj, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Division, Muzaffarpur, Bihar
3. The Collector, East Champaran, Motihari
4. The Sub Divisional Officer, Areraj, East Champaran,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, 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 : 23-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That instant writ application is being preferred against the order of Appeal No. 21 of 2018 passed by the Collector, Motihari, East Champaran and as well as setting aside the order of Sub Divisional Officer, Areraj, East Champaran vide Memo No. 07 dated 27.10.2018 by which license no. 7/2016 of Public Distribution System of the petitioner for Nagar Panchayat, Areraj Ward No. 13 has been



cancelled without giving any sufficient reasonable opportunity is being heard and without any valid and cogent reason and according to his whim.

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer a revision against the impugned order before the Revisional Authority.

Permission granted.

Learned counsel for the respondents states that if such a revision is preferred within a period of four weeks from today, the issue of limitation, if any, shall neither be raised nor allowed to come in the way of adjudication of the revision on merits.

Statement accepted and taken on record.

As such, petition stands disposed of in the following mutually agreeable terms:-

(a) Petitioner is permitted to prefer a revision within a period of four weeks from today;

(b) In the event of revision being preferred within a period of four weeks from today, the issue of limitation shall not come in the way of adjudication of the revision on merits;

(c) Opportunity shall be granted to the parties to



place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Revisional Authority shall decide the revision on merits, in compliance of the principles of natural justice;

(f) The Revisional Authority shall pass a reasoned and speaking order, within a period of eight weeks from the date of filing of the revision copy whereof be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(i) We have not expressed any opinion on merits and all issues are left open;

(j) Liberty reserved to the petitioner to challenge the order, if required and desired.

The instant petition stands disposed of in the



aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	26.11.2021
Transmission Date	

