

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5827 of 2020

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Jitendra Prasad Thakur @ Jitendra Kumar Thakur, S/o Raghunandan Thakur
Resident of Village- Nemapatti Pakauli @ Laluchowk Laloo Chhapra Ex
P.D.S. Dealer Panchayat- Laloo Chhapra, Anchal- Paroo, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The Sub- Divisional Magistrate, West Muzaffarpur.
3. The Block Supply Officer Paroo, Distt.- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi, 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 this is an application for issuance of a writ in the nature of certiorari for quashing the order vide memo no.123 dated-31.1.2020 issued under the signature of respondent no.2 Sub Divisional Magistrate, West Muzaffarpur whereby and where under the license of the petitioner has been cancelled without supply of enquiry report without consideration of reply of show cause and without supply of enquiry report and show cause to reply within two days. The said cancellation order is based on such enquiry report which is not provided to this petitioner.

It is further prayed to direct the respondent no. 2 Sub Divisional Magistrate, West Muzaffarpur to restore the P.D.S. license of the petitioner and to allot the monthly allotment.”

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-

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