

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9275 of 2020

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Kanauji Kachhuara PACS, through its President Bimal Ghosh @ Binod Ghosh, aged about 58, Gender- Male, son of Late Sakaldeep Roy, resident of Village- Manoharpur Kachhuara, P.S.- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The S.D.O., Sadar, Patna.
3. The Additional District Supply Officer, Patna Sadar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG 5 with Mr. Md. Kamil Akhtar, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

Date : 15-11-2021

Heard.

The petitioner is aggrieved by order dated 30.04.2020 passed by the Sub Divisional Officer, Sadar, Patna, by which the PDS license of the petitioner has been cancelled.

Though the order has been passed under Rule 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016, but no appeal was preferred by the petitioner.

We feel that the matter needs to be heard by the competent authority. The limitation prescribed under the Rule for preferring the appeal has expired. The State has no serious



objection to the bar of limitation in case the petitioner files an appeal.

We, thus, dispose off this writ petition with direction that in case the petitioner prefers an appeal against the order impugned within two weeks, the competent authority will decide the same within four weeks without being prejudiced by the period of limitation.

The writ petition stands disposed off.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.11.2021
Transmission Date	

