

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7484 of 2020

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Md. Irfan Son of Late Md. Karamat, Resident of Village-Rahmandih, P.S.
Dhoraiya, Dist. Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Sub Divisional Officer, Banka.
2. Principal Secretary, Food and Civil Supply Department, Government of Bihar,
3. District Magistrate, Banka,
4. Sub Divisional Officer, Banka
5. District Supply Officer, Banka.
6. Block Supply Officer, Dhoraiya, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan Singh & Mr. Prabeen Kumar Singh, Advcoates
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 11-02-2021 Heard learned counsel appearing for the petitioner
and learned counsel for the State.

By this writ application the petitioner has prayed
for quashing of the order of cancellation of License of PDS
shop of petitioner contained in Memo No. 15Aa/Banka, dt.
5.5.2020.

Learned counsel appearing for the petitioner
submits that the aforesaid order of cancellation is in teeth of
principles of natural justice. He further submits that the
aforesaid order of cancellation is contrary to the provisions



contained in Rule 25 and 27(i) and (ii) of the Bihar Targeted P.D.S. Control Order, 2016.

On the other hand, learned counsel appearing for the State submits that petitioner has an alternative remedy of filing appeal against the aforesaid order of cancellation of his license before the competent authority under Rule 32 of the Bihar Targeted P.D.S. Control Order, 2016, which he ought to have availed.

Considering the submissions of the parties, this Court is not inclined to entertain the writ application. Petitioner may avail the remedy of appeal available to him under rule 32 of the Control Order, 2016. In case petitioner files such an appeal, the competent authority is directed to decide the same within a period of two months from the date of filing of the appeal.

The writ application is disposed of with the above observations/directions.

(Arvind Srivastava, J)

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