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Shiv Kumar Singh Son of Late Nandji Singh, Resident of Gram and Post:
Hetampur, Thana- Tiyar Sub Division- jaghdispur, District- Bhojpur
... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna
2. The District Magistrate, Bhojpur
3. Sub Divisional Officer, Jagdishpur Ara Bhojpur
4. The Block Supply Officer, Jagdishpur Bhojpur Ara

... Respondent

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 21-01-2021 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks quashing of the order
28.08.2020 passed by respondent no. 3/ the Sub Divisional
Officer, Jagdishpur, Ara, Bhojpur, whereby, the license
granted to the petitioner to run the shop under Public
Distribution System, has been cancelled.

Learned counsel for the petitioner has submitted that in the show-cause notice, only six grounds were intimated but the impugned order is based on three additional grounds about which the petitioner had no notice.



This Court is not inclined to accept the aforesaid argument but before specifying the reasons for not accepting such argument, learned counsel for the petitioner thought it prudent to withdraw this petition in order to challenge the impugned order in appeal.

The prayer is allowed.

The writ petition stands dismissed as withdrawn with the liberty to the petitioner to approach the appellate authority under the Bihar Targeted Public Distribution System (Control) Order, 2016 within a period of 30 days.

Should such a memo of appeal be filed, it shall be entertained and after affording appropriate opportunity to the petitioner, a reasoned order shall be passed, without being prejudiced with the fact that the present petition has not been entertained.

The writ petition stands disposed of with aforesaid observation.

(Ashutosh Kumar, J)

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