

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 12747 of 2021

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Lakhan Yadav @ Ramlakan Yadav son of Govardhan Yadav, the Chairman of Kharanti PACS (male) aged about 40 years, Resident of Village-Goitha Mittha, Village Panchayat-Kharanti, Police Station-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer, Sherghati, Gaya.
4. Assistant District Supply Officer, Sherghati, Dist-Gaya.
5. The Block Supply Officer, Dobhi, Dist-Gaya.

... .. Respondent/s

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Appearance:

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Respondent/s : Mr. Upendra Pratap Singh, AC to Standing Counsel-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 16-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking quashing of the order dated 26.06.2021 passed by the Sub-Divisional Officer, Sherghati, Gaya, whereby and whereunder the PDS license of the petitioner bearing License No. 61 of 2016 has been cancelled.

At the outset, the learned counsel for the petitioner



seeks liberty to file appeal under Rule 32(iii) of the Bihar Targeted PDS (Control) Order, 2016.

The learned counsel for the respondent-State Shri Upendra Pratap Singh, AC to Standing Counsel-4 has got no objection.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file an appeal, against the impugned order dated 26.06.2021, before the appellate authority and in case such an appeal is filed within a period of four weeks from today, the appellate authority shall consider the same on merits without being impeded by the issue of limitation and shall dispose off the same within a period of eight weeks thereafter, by a reasoned and speaking order, in accordance with law.

(Mohit Kumar Shah, J)

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