

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 9578 of 2019

Kamlesh Pathak S/o Gauri Shankar Pathak Resident of Village-Nenua, P.S.
Dumraon, Dist.-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna
2. The District Magistrate, Buxar
3. The Sub Divisional Officer, Dumaraon, Buxar
4. The Additional District Supply Officer-cum-Incharge, Block Supply Officer, Dumraon, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Rajiv Ranjan Kr. Pandey, Adv.
	:	Ms. Preety Kunwar, Adv.
For the Respondent/s	:	Mr. Arvind Ujjwal (SC 4)
	:	Mr. Upendra Pratap Singh (AC to SC 4)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

5 31-08-2021 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 for quashing the order dated 19.07.2017, passed by the S.D.O. Dumraon, whereby and whereunder the P.D.S. licence of the petitioner bearing licence no. 270 of 2007 has been cancelled as also for



quashing the order dated 08.01.2019, passed in case no. 163 of 2017, whereby and whereunder the Miscellaneous case of the petitioner i.e. the appeal filed by the petitioner has been dismissed.

At the outset, the learned counsel for the respondent-State Sri Upendra Pratap Singh (AC to SC 4) has raised a preliminary issue regarding the maintainability of the present writ petition, inasmuch as the petitioner has got the alternative remedy of filing a revision against the order passed by the District Magistrate, Buxar dated 08.01.2019 under Rule 32 (v) ***of the Bihar Targeted Public Distribution System (Control) Order, 2016.***

The learned Senior counsel for the petitioner Sri N.K. Agrawal, Advocate seeks liberty to file appropriate revision petition, however submits that the revisional authority be directed to dispose of the revision petition of the petitioner within a stipulated time frame.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file appropriate revision petition against the order dated 08.01.2019, passed by the District Magistrate, Buxar and in case, such a revision petition is filed within a period of four weeks from today, the revisional



authority shall consider the same on merits and dispose of the same by a reasoned and a speaking order, in accordance with law, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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