

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8194 of 2020

Md. Galib Son of Late Fazallu Rahman, resident of village- Marhuka, Village Panchayat- Tineri, Police Station- Anti, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar at Patna
2. The Divisional Commissioner, Gaya
3. The District Magistrate, Gaya
4. The Sub Divisional Officer, Tikari, Dist.- Gaya
5. The Block Supply Officer, Konch, Dist.- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. Prashant Pratap, GP-2

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 23-11-2021 Petitioner has prayed for the following reliefs: -

“For issuance of an appropriate writ/writs, order/orders and direction/directions to quash the order dated 21.06.2016 contained in memo No. 391 passed by the Licensing Authority cum Sub Divisional Officer, Tikari, whereby the license No.- 01/87 of the petitioner granted under Public Distribution System Control Order, 2001 and now under the Bihar Targeted P.D.S. (Control) Order, 2016 has been cancelled in very capricious manner and quash the consequential order dated 10-06-2020 passed



by the District Magistrate, Gaya in supply appeal No. 04/16 whereby while dismissing the appeal he suo moto affirmed the order of cancellation and continued his previous order dated 26-05-2017 in an erroneous ground in spite of specific direction issued to him by the Divisional Commissioner Magadh Division, Gaya in supply revision case No. 115/17 vide order dated 17-12-2019 to pass a fresh reasoned order and/or pass any other writ/order/direction which your Lordships may deem fit and proper.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file a petition seeking revision of the order passed by the appellate authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the respondents states that if the petition is filed within the aforesaid period, limitation shall not come in the way and the revision petition shall be heard on merits, to be decided within a period of three months from the date of its filing.

The present petition is, accordingly, disposed of with the aforesaid liberty.

We clarify that we have not expressed any opinion on facts and law.



Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

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