

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4061 of 2021

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Kamla Devi @ Kamla Kuer @ Kamlawati Kuer @ Kamala Devi wife of Late Chandrama Giri Resident of Village - Harpur Chhatwa Kala, Police Station-Baniyapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. The Divisional Commissioner, Saran at Chapra.
3. The District Magistrate, Saran at Chapra.
4. The District Supply Officer, Saran at Chapra.
5. The Sub-Divisional Officer, Chapra Sadar, Saran at Chapra.
6. The Circle Officer, Manjhi, Saran at Chapra.
7. The Block Supply Officer, Baniyapur, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- I. For issuance of an appropriate writ in the nature of certiorari for quashing the memo no. 4104 dated



29.06.2020 issued under the signature of the Sub Divisional Officer Sadar Chapra, Saran by which, the license of the petitioner under Public Distribution System bearing license No. 119/2016 has been cancelled with immediate effect, without appreciating the facts and circumstances.

II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to restore the license of the petitioner bearing license no. 119/2016 granted to her for distribution of foodgrains under Public Distribution System, so that the petitioner might be able to distribute the essential commodities to the ration card holders, without any further delay.

III. For issuance of an appropriate writ as an alternative prayer of the petitioner for directing the District Magistrate, Saran to dispose of the appeal of the petitioner bearing Appeal No 46/2020 (Kamla Devi (Kuer) vs. Sub Divisional Officer, Sadar Chapra, Saran and Anr.) with reasoned and speaking order by redressing the genuine grievance of the petitioner for restoring the license bearing license no. 119/2016 granted to her under public distribution system.

IV. For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner would be entitled in the facts and circumstances of the present case.

It is submitted on behalf of the petitioner that petitioner has preferred an appeal against the order of cancellation of licence before the District Magistrate, Saran being Appeal No. 46 of 2020, titled as Kamla Devi (Kuer) Vs. Sub Divisional Officer, Sadar Chapra, Saran and Anr., which has yet not been decided and is pending.



Considering the facts and circumstances of the case, this application is disposed of with a direction to the District Magistrate, Saran to dispose of Appeal No. 46 of 2020 (Kamla Devi (Kuer) Vs. Sub Divisional Officer, Sadar Chapra, Saran and Anr.) within one month from today, if not already disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.12.2021
Transmission Date	

