

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1491 of 2021

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Bhachu Prakash Madhukar Son of Musafir Rai Resident of Village-Bhadwas,
P.S. Mahua, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Vaishali at Hajipur.
2. The Sub-Divisional Officer, Mahua District. Vaishali at Hazipur.
3. The Block Supply Officer Cum Assistant Sub-Divisional Officer, Mahua,
District-Vaishali at Hazipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Preety Kunwar, Advocate Mr. Manoj Kumar Pandey
For the Respondent/s	:	Mr. Arvind Ujjawal (SC-4)

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

Date : 07-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“1. That the present writ application is being filed on behalf of the petitioner for quashing the order contained in Memo No. 893 dated 10.08.2020 passed by the learned S.D.O. Vaishali at Hazipur by which the P.D.S. License no. 97/16 of the petitioner has been cancelled.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file an appeal against the impugned order before the authority concerned for redressal of the grievances.

Prayer allowed.

All issues on facts and law are left open.

The present application is, accordingly, disposed of as withdrawn reserving liberty to the petitioner to file an appropriate appeal before the appropriate authority within a period of four weeks from today. If such an appeal is filed by the petitioner within the stipulated time, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of two months from the date of its presentation.

If the appeal is preferred within the stipulated period, the period for which the present petition remained pending before this Court shall not be accounted for the purposes of limitation.

While considering the appeal, authority concerned shall take into account all materials available on record.

Needless to say that while considering such appeal, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA