

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15149 of 2021

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Ganesh Prasad Sah Son of Jagdish Prasad Sah Resident of Village- Lalapur,
P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Bhagalpur.
3. The Licensing Authority-Cum- Sub- Divisional Officer, Kahalgaon, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr.Upendra Pratap Singh (AC to SC 4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2021 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.

Heard the learned counsel for the petitioner and Sri Upendra Pratap Singh, learned AC to SC 4 appearing for the State.

The present petition has been filed seeking quashing of the order dated 31.07.2021, passed by the Licensing Authority-cum-Sub Divisional Officer, Kahalgaon, whereby and whereunder the P.D.S. license of the shop of the petitioner bearing License no. 05/2018 has been cancelled.



The learned counsel for the petitioner, at the outset, seeks liberty on behalf of the petitioner to file appeal under ***Rule 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.***

The learned counsel for the respondent- State has got no objection.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with liberty to the petitioner to file appropriate appeal before the appellate authority against the order dated 31.07.2021, passed by the Licensing Authority-cum-Sub Divisional Officer, Kahalgaon and in case, such an appeal is filed within a period of four weeks from today, the same shall be decided on merits, in accordance with law, by a reasoned and a speaking order, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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