

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15653 of 2021

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Arjun Prasad Sharma Son of Late Sudama Singh Resident of Village-
Kariayanna, Police Station- Silaw, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
3. The District Magistrate, Nalanda.
4. The Sub-Divisional Magistrate, Rajgir, Nalanda.
5. The District Supply Officer, Nalanda.
6. The Assistant Supply Officer, Bihar Sharif.
7. Block Supply Inspector, Silaw, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeet Kumar, Advocate
For the Respondent/s	:	Mr.Arvind Ujjwal (Standing Counsel-4)
		Mr. Upendra Pratap Singh,
		AC to Standing Counsel-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-10-2021 The present writ petition has been filed seeking quashing of the order dated 19.01.2021 passed by the District Magistrate, Nalanda, whereby and whereunder the Supply Case No. 9 of 2018 has been dismissed on account of non-appearance of the petitioner/his counsel.

The learned counsel for the petitioner submits that the Appeal filed by the petitioner has not been decided on merits and has been dismissed by the Ld. District Magistrate, Nalanda on account of non-appearance of the petitioner/his counsel,



hence the appeal be restored and directed to be heard on merits.

The learned counsel for the respondent-State Shri Upendra Pratap Singh, AC to Standing Counsel-4 has got no objection in case the appeal of the petitioner is restored and the matter is remanded back to the learned District Magistrate, Nalanda.

Having regard to the facts and circumstances of the case, the order dated 19.01.2021 passed by the District Magistrate, Nalanda is set aside and the matter is remanded back to the learned District Magistrate, Nalanda, who shall pass appropriate orders on merits, in the pending Appeal bearing Supply Case No. 9 of 2018, in accordance with law, within a period of eight weeks of receipt/production of a copy of this order.

The writ petition stands allowed to the aforesaid extent.

(Mohit Kumar Shah, J)

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