

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2785 of 2021

MD. TAHIR ALAM son of Late Nisha Rahtullah Resident of Gopalpur,
Netuapara, P.S. Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna
2. The Collector Kishanganj
3. The Sub Divisional Officer Kishanganj
4. The Block Supply Officer Bahadurganj, Kishanganj

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Preety Kunwar, Adv
For the Respondent/s : Mr. U.P. Singh AC to SC-4

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-12-2021

Heard learned counsel for the parties.

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

“That this writ application is being filed on behalf of the petitioner for setting aside the order dated 19.11.2019 passed by the Collector, Kishanganj in PDS Appeal No. 02/2019-2020 by which appeal filed by the petitioner against an order dated 21.02.2019 passed by SDO, Kishanganj by which PDS license No. 39B/2016 was cancelled has been dismissed.”

Before us, it is not in dispute that petitioner has got an equally alternate efficacious remedy of appeal/revision as provided under the provision of the standing order.

In this view of the matter, learned counsel states that

petitioner shall be content, if petitioner is permitted to prefer an appeal/revision with a direction for the same to be disposed of expeditiously.

As such, as prayed for, present petition is disposed of in the following mutually agreeable terms:-

(a) Petitioner is permitted to prefer an appeal within a period of two weeks from today;

(b) The appropriate appellate authority shall consider and decide the same on merits expeditiously by assigning reasons within two months thereafter, copy whereof shall be supplied to the petitioner.

(c) All questions of fact are left open to be considered and decided by the appellate authority;

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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