

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3070 of 2021

Vijay Kumar S/o Ram Sagar Prasad Resident of Village - Rada @ Chak Rada,
P.S. - Dhanarua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Additional District Magistrate (Supply) Collectorate, Patna.
4. The Sub Divisional Officer-cum-Licensing Authority, Patna.
5. The Block Marketing Officer, Dhanarua, Patna.
6. Shailendra Kumar S/o Ram Ishwar Bind, Resident of Village - Moriyawan, P.S. - Dhanarua, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, S.C. 4
Mr. U.P. Singh, AC to S.C. 4

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

Date : 14-12-2021

Petitioner has prayed for the following relief(s):

- (i) For issuance of a writ in the nature of writ certiorari for quashing the order dated 19.03.2019 vide memo no. 135 passed by the Sub Divisional Officer-cum-Licensing Authority, Masaurhi, Patna.
- (ii) For issuance of a writ/direction/orders in the nature of writ of mandamus commanding the respondent licensing authority to restore the PDS license being license no. 97/2017 of the petitioner by which has affirmed in remand of the order dated 28.08.2018 vide memo no. 544 without any inquiry from Bihar School Examination Board only on the basis of the complaint of the complainant (Respondent no. 6).
- (iii) For issuance of a writ in the nature of mandamus commanding the respondents to verify the alleged matriculation certificate submitted by private respondent from the competent authority who has issued the same.
- (iv) For any other relief/reliefs applicable in the eye of law for which the petitioner is entitled.



After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer an appeal before the Appellate Authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such appeal is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the appeal shall be heard on merits, to be decided within a period of three months from the date of its filing.

We only hope and expect the appropriate authority to consider and decide the appeal on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on facts and law. All issues are left open.

Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the liberty aforesaid.

Interlocutory application, if any, shall also stand



disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2021
Transmission Date	

