

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 4834 of 2021

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Lalpari Devi wife of Devi Sah Resident of Village and P.O. Kopa, P.S. Kopa
Bazar, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, patna
3. The District Magistrate Saran at Chapra, District- Saran at Chapra
4. The Sub Divisional Officer, Sadar Chapra, District- Saran at Chapra
5. The Block Supply Officer, Jalalpur, District- Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Shashi Bhushan Kumar Manglam, Advocate
For the Respondent/s : Mr Arvind Ujjwal, SC IV

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CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

3 24-01-2022 This case has been taken up for online hearing through video-conference because of COVID 19 pandemic restrictions.

Heard learned counsel for the petitioner and the respondents.

It is the petitioner's case that her licence to run a fair price shop under Bihar Targeted Public Distribution System (for brevity, *BTPDS*) (Control) Order, 2016 was cancelled by the licensing authority by an order dated 03.12.2019. It is her further case, as stated in paragraph 18 of the writ petition, that



though she preferred appeal against the order of cancellation giving rise to Supply Appeal No 6 of 2020 before the District Magistrate, Saran at Chapra, till date, the appeal has not been disposed of.

There is no gainsaying that the license granted to the petitioner is governed by the provisions of BTPDS (Control) Order, 2016 which provides for an appeal against the order of cancellation of licence. The BTPDS (Control) Order, 2016 further provides that if the appeal is not disposed of within the period specified thereunder, the aggrieved person shall have liberty to file an application before the revisional authority. The petitioner has, admittedly, not approached the revisional authority in accordance with the provision under Rule 32 (vi) of the BTPDS (Control) Order, 2016.

In such view of the matter, this application stands disposed of with liberty to the petitioner to seek alternative statutory remedy under the BTPDS (Control) Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

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