

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5322 of 2021

=====

Kavita Kumari Wife of Satendra Choudhary, resident of Village - Temtha
Karari, P.S.- Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Food and Supply, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Food and Supply and Consumer Protection, Govt. of Bihar, Patna.
3. The Deputy Development Commissioner, Munger, District - Munger.
4. The District Magistrate, Khagaria, District - Khagaria.
5. The Sub-Divisional Officer-Cum- Licensing Officer, Gogri, District - Khagaria.
6. The District Supply Officer, Khagaria, District - Khagaria.
7. The Block Supply Officer, Parbatta, District - Khagaria.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Respondent/s : Mr. Alok Ranjan, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 22-02-2022

Heard Mr. Amrendra Kumar, learned Advocate for

the petitioner and Mr. Alok Ranjan for the State.

The petitioner initially had challenged the order dated 08.06.2020 passed by the Sub-Divisional Officer-cum-Licensing Officer, Gogri whereby his licence was



suspended pursuant to an FIR having been registered against him under the E.C. Act.

However, no final order was passed within 180 days. The petitioner appears to have been furnished show cause notice to which he has not replied.

Be that as it may, during the pendency of this writ petition, the final order was passed, canceling the licence of the petitioner.

The aforesaid order also has been challenged by way of the Interlocutory Application.

We are of the view that the petitioner would be well advised to challenge the order of cancellation of his licence before the appellate authority.

Should the petitioner file such an appeal before the appellate authority within a period of 30 days, it shall be taken up by the concerned respondent and an order shall be passed within a further period of 60 days, affording every opportunity to the petitioner to explain his cause.



Needless to state that the order so passed would be a speaking order and if the petitioner is aggrieved by such order, he can take recourse to the remedies available to him under the law.

The petition stands disposed off.

The Interlocutory Application is also disposed off in terms of the order.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2022
Transmission Date	NA

