

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6705 of 2021

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Rajendra Mahto, son of Shiv Nandan Mahto, resident of Village- Jainagar,
Panchayat- Jainagar, Block- Sonbarsa, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna
2. The District Magistrate, Sitamarhi, District- Sitamarhi
3. The District Supply Officer, Sitamarhi, District- Sitamarhi.
4. The Sub Divisional Officer cum Licensing Authority, Sitamarhi Sadar, District- Sitamarhi.
5. The Block Supply Officer, Block- Sonbarsa, District- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Respondent/s : Mr. Vishambhar Prasad, A.C. to A.G.

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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 04-02-2022 The matter has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The order dated 31.12.2020 passed by the Sub-Divisional Officer-Cum-Licensing Authority, whereby the licence of the petitioner's PDS shop has been cancelled, is under challenge in the present writ application.

Learned counsel for the petitioner, after some arguments, seeks permission to withdraw this application



with a liberty to approach the appropriate authority by filing an appeal.

Considering the facts and circumstances, permission to withdraw the application with the liberty as sought is accorded.

This application, in the facts and circumstances of the case, is disposed of with an observation that if the petitioner prefers an appeal within four weeks from today, with an application seeking condemnation of delay, the appellate authority shall be required to consider the application for condonation of delay liberally and decide the petitioner's appeal on merits within the time as stipulated under the Bihar Targeted Public Distribution System (Control) Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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