

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7063 of 2021

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Shankar Ram, S/o Dhannu Ram, Resident of Village- Ganeshpur, P.O.-
Bhikhanapur near Muskan Kirana, P.S.- Ahiyapur, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub-Divisional Officer East Muzaffarpur, Dist- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Respondent/s : Mr.Alok Kumar, AC to AAG-5

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

Date : 04-01-2022

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-

‘for setting aside the order contained in
memo NO.341 dated 27101/2021 passed by the
learned S.D.O., East Muzaffarpur by which he was



passed to cancel the P.D.S., License of the petitioner being License No. - 23/01/04-03-2016 and further be pleased to restore the PDS license as well as supply of the petitioner.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach respondent No.3, Sub-Divisional Officer, East Muzaffarpur, within a period of four weeks from today by filing a representation for redressal of



grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request



expeditiously and preferably within a period of three months from the date of the its presentation.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/K.C.Jha

AFR/NAFR	
CAV DATE	
Uploading Date	14.01.2022
Transmission Date	

