

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7195 of 2021

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Chandrama Singh @ Ram Chandra Singh S/o Late Ramashish Singh R/o
Village and Post-Dhaudarh, Block and P.S.-Sasaram, District - Rohtas at
Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food
Commerce and Civil Supplies, Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Sub Divisional Officer, Sadar, Sasaram.
4. The District Supply Officer, Sasaram.
5. The Block Supply Officer, Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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**(The proceedings of the Court are being conducted by
Hon'ble the Chief Justice/ Hon'ble Judges through
Video Conferencing from their residential
offices/residences. Also, the Advocates and the Staffs
joined the proceedings through Video Conferencing
from their residences/offices.)**

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Date : 21-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



- (i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of CERTIORARI for quashing of the order as contained in memo No. 391 dated 18-11-2019 passed by the respondent No. 3 i.e. sub Divisional Officer, Sadar, Sasaram (Hereinafter referred to as Licensing Authority under the Bihar Targeted Public Distribution (Control) order 2016 whereby and where under he has dismissed the Fair Price shop License of the petitioner vide License No. 22-07 in terms of Clause 14 (1) (4) and (6) of the said (Control)Order, 2016
- (ii) To direct the respondent No. 2 the District Magistrate, Rohtas at Sasaram to expedite the hearing of Supply Appeal No. 01/ 2020 filed by the petitioner as expeditiously as possible.
- (iii) To direct the respondent No.3~~4~~ to restore the license of the petitioner taking into the consideration that the aforesaid PDS shop is only one source of livelihood of the petitioner.
- (iv) To any other relief/s to which the petitioners are entitled in the facts and circumstances of the case.

Learned counsel for the petitioner states that petitioner's appeal is pending before the Appellate Authority and petitioner shall be content if a direction is issued for expeditious disposal of the same.

Learned counsel for the respondents states that the



appeal shall be considered and decided within a period of three months from the date of appearance of the petitioner before the Appellate Authority 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 make himself available before the Appellate Authority on 9th of February, 2022;

(b) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(c) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(d) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural justice;

(e) The Appellate Authority shall pass a reasoned and speaking order, within a period of three months from the date of appearance of the petitioner before the Appellate Authority;

(f) Copy of the order passed by the Appellate Authority shall be supplied to the parties;



(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) 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;

(i) We have not expressed any opinion on merits and all issues are left open;

(j) Liberty reserved to the petitioner to assail the order, before the appropriate forum, should the need so arise subsequently.

The instant petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	22.01.2022
Transmission Date	

