

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8782 of 2021

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Ramakant Choudhary son of Fakirchand Chaudhary, Resident of Village and
P.S.- Nagarnausa, Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The Collector, Nalanda.
4. The Sub- Divisional Officer, Hilsa, Dist.- Nalanda.
5. The Block Supply Officer, Nagarnausa, Dist.- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. V.R.P. Singh, Adv., Mr.Lovekush Kumar
For the Respondent/s	:	Mr.Lalit Kishore (Ag)
For the State	:	Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-01-2022 Heard learned counsel for the parties.

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

“ (A). For grant of an appropriate writ for quashing the order of the Sub-Divisional Officer, Hilsa issued under Memo No. Aa Abhi 157/07-1228/Aa dated 08.10.2007 cancelling the licence of the petitioner pending final disposal of Nagarnausa P.S Case No. 26 of 2007 (Annexure-1).

(B). For grant of appropriate writ for quashing the order of the Sub-Divisional Officer,

Hilsa issued under Memo no. Aa Abhi 157/07-118/Aa dated 28.01.2008 cancelling the licence of Fair Price Shop of the petitioner under the provision of 7(I) and 7 (II) of Public Distribution System (Control) 2001 with immediate effect.

(c) For grant of an appropriate writ to restore licence no. 5/1992, Nagarnausa under Public Distribution System in the name 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 the 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 three 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 the authority concerned i.e Respondent No. 4, namely the Sub-Divisional Officer, Hilsa,

Nalanda within a period of four weeks from today by filing a representation for redressal of the 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 appropriate forum, if the need so rises subsequently on the same and subsequent cause of action;

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

(h) The proceedings, during the time of current

Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Sanjeev Prakash Sharma, J)

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