

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4983 of 2022

Manoj Kumar Jha Son of Late Mahavir Jha, resident of Village Gangdewar
Panchayat Gangdwar, P.S. - Andhra Tharhi District - Madhubani...

Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumer Protection Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Jhanjharpur District - Madhubani.
4. The District Supply Officer, Madhubani.
5. The Block Supply Officer Andhratharhi, District - Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ratanakar Jha
For the Respondent/s	:	Mr.Arvind Ujjwal (Sc 4)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 13-05-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- (i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of mandamus commanding and directing upon the respondent to issue fair price ship license on a compassionate ground as such father of the petitioner died on 22-7-16 having PDS license bearing No. 08/2007.

(ii) To direct the respondents to consider the case of the petitioner with respect to issuance of fair price shop license on compassionate ground who has submitted all the relevant documents to respondent No. 03 in support of the claim as early as possible.

(iii) To any other relief/s to which the petitioner may be found entitled in the facts and circumstances of the case.

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the **District Collector, Madhubani** 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 six 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 on the following terms:-

(a) Petitioner shall approach the authority concerned 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 six months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

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

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

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

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

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

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.05.2022
Transmission Date	NA