

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 9493 of 2021

Sanjay Kumar Son of Chandrika Rai resident of Village- Chehrakalan, Police Station- Garaul, District- Vaishali, Hazipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The District Magistrate, Vaishali, Hazipur.
4. The Sub Divisional Officer, Mahua, Vaishali.
5. The Block Development Officer cum Block Supply Officer, Chehrakalan, Vaishali, Hazipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Ashok Kumar Karna, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

2 **11-02-2022** This case has been taken up for online hearing through video-conference because of COVID 19 pandemic restrictions.

The order dated 03.03.2021 passed by the Sub Divisional Officer, Mahua, Vaishali, whereby the petitioner's licence to run a fair price shop under the Bihar Targeted Public Distribution System (for brevity, *BTPDS*) (Control) Order, 2016 has been cancelled, is under challenge in the present writ application.

The petitioner has alternative remedy of appeal which



he has not availed.

Considering the facts and circumstances, this application is disposed of with a liberty to the petitioner to approach appellate authority against the impugned order of cancellation of his licence.

It is worthwhile noticing that against the said order dated 03.03.2021, the petitioner had presented this application on 22.03.2021 which came to be registered on 12.04.2021.

In such circumstance, it is observed that if the petitioner prefers an appeal within four weeks from today, with an application seeking condonation of delay in preferring appeal, the appellate authority shall be required to decide the petitioner's appeal on merits after condoning the delay.

This application stands disposed of accordingly.

It is expected that the appellate authority shall dispose of the petitioner's appeal within a period, as stipulated under the BTPDS (Control) Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

