

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10261 of 2021

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Rajendra Ray, S/o Ram Ugrah Ray, R/o Near bus Stand Ward No.5, Bardiha
Turki, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Food and Supply Department,
Bihar, Patna.
2. The Director, Food and Supply Department, Bihar, Patna.
3. The District Magistrate, Vaishali.
4. The District Supply Officer, Vaishali.
5. The Sub Divisional Officer, Mahua, Vaishali.
6. The Block Supply Officer, Jandaha, District Vaishali.
7. The Block Supply Officer, Patepur, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Pawan Kumar, AC to AG

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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 : 07-01-2022

Heard learned counsel for the parties.

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

- i. To quash the memo no. 204 dated



01.03.2021 issued by the Sub Divisional Officer Mahua whereby and whereunder the license of public distribution system shop bearing license no. 59/16 has been cancelled with immediate effect. A copy of memo dated 01.03.2021 is annexed herewith and marked as Annexue-1 to this application

ii. To direct the respondent authority not to disturb the public disturb shop of the petitioner.”

Learned counsel for the petitioner states that petitioner’s appeal is pending consideration 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 six 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 17th of January, 2022;**

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



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

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

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

(g) 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)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	10.01.2022
Transmission Date	

