

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10201 of 2021

=====

Chandra Shekhar Chaudhary S/o Jhapsi Chaudhary R/o Nilorukundpur, P.S.
Dabhaich, 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

=====

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Adv.
For the Respondent/s : Mr.Lalit Kishore (AG)

=====

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):-

“1. i. To quash the memo no. 203 dated 01.03.2021 issued by the Sub Divisional Officer Mahua whereby and whereunder the license of public distribution system shop bearing license no. 47/16 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 further quash the memo no. 206 dated 01.03.2021 issued by the Sub Divisional Officer Mahua whereby and whereunder direct to the respondent authority to determination the quantity of food and take action of recovery of defalcation of food and if not recover then file case under Bihar and Odisha Public Demands Recovery Act 1914. A copy of memo dated 01.03.2021 is annexed herewith and marked as Annexue-2 to this application.

And/or any other appropriate relief,s, to the petitioner for which he may found entitle under the fact and circumstances of the case.”

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)

(Sanjeev Prakash Sharma, J)

pravinkumar/-

U		T	
---	--	---	--