

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10361 of 2021**

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Sikandar Rajbanshi, Son of Chando Rajbanshi, Resident of Village-Pilkhi,  
P.S.-Rajgir, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna-800015.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Nalanda.
4. The Assistant District Supply Officer, Nalanda.
5. The Sub Divisional Officer, Rajgir, Nalanda.
6. The District Supply Officer, Nalanda.
7. The Block Development Officer, Rajgir, Nalanda.
8. The Block Supply Officer, Rajgir, Nalanda.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. N. K. Agrawal (Sr. Adv)  
Mr. Krishan Deo Raj (Adv)  
For the Respondent/s : Upendra Pratap Singh (AC to S.C -4)

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

**and**

**HONOURABLE MR. JUSTICE JITENDRA KUMAR**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)**

**Date : 20-07-2022**



Heard Mr. N. K. Agrawal, learned Sr. Counsel for the petitioner and Mr. Upendra Pratap Singh, learned counsel for the State.

The licence of the petitioner has been cancelled, which order has been sustained by the appellate authority. The grounds of assail on behalf of the petitioner is that the licensing authority had himself inspected the shop of the petitioner and thereafter had issued a vague notice for the licensee to respond, which the licensee had responded. Out of the 7 charges, the licensing authority found two charges against the petitioner worth noting and on those two charges, the licence of the petitioner has been cancelled.

The appellate order, according to Mr. Agarwal, is only a reiteration of the order passed by licensing authority.

Be that as it may, since the licensee has not exhausted his legal remedy of preferring a revision against the appellate order, we are not inclined to entertain the petition, more so for the reason that the petitioner is a licensee under the 2001 Control Order.



After having said so, we direct that in case a revision is filed by the licensee, the same shall be taken up for consideration and after giving reasonably sufficient time to the petitioner, a reasoned order shall be passed, which order shall be made available to the petitioner forthwith.

The writ petition is disposed of, accordingly.

**(Ashutosh Kumar, J)**

**( Jitendra Kumar, J)**

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