

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11198 of 2021

=====

Umesh Prasad Singh @ Umesh Kumar Singh, Son of Sahjanand Prasad,
Resident of Reganiyabagh, P.S. Nauatpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Patna.
2. The Sub-Divisional Officer, Danapur, District - Patna.
3. The Block Supply Officer, Nauatpur, District - Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Preety Kunwar, Advocate Mr. Manoj Kumar Pandey, Advocate
For the State	:	Mr. Upendra Pratap Singh, A.C. to S.C.-4

=====

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

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 23-03-2022 An order dated 06.04.2021 passed by the Sub-Divisional Officer-Cum-Licensing Authority, Danapur, whereby the petitioner's licence to run a PDS shop under the Bihar Targeted Public Distribution System (Control) Order, 2016 (in short, "Control Order, 2016") has been cancelled, is under challenge in the present writ application.

The petitioner has not preferred appeal against the said order, which was an alternative statutory remedy available to him under the Control Order, 2016.

Learned counsel for the petitioner, in such view of the matter, seeks permission to withdraw this writ application with a



liberty to prefer appeal against the impugned order.

We notice that after passing of the impugned order on 06.04.2021, the present writ application was filed soon thereafter and came to be registered on 16.06.2021.

In such view of the matter, it is observed that if the petitioner prefers an appeal against the impugned order within four weeks from today, with an application for condonation of delay in preferring appeal, the appellate authority shall be obliged to consider the petitioner's appeal on merits after condoning the delay in filing appeal.

This application stands disposed of with the aforesaid observations and directions.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

PNM

U			
---	--	--	--

