

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11827 of 2021

Kailash Kumar Tanti, Son of Sri Santlal Tanti, R/o Village - Olpura, P.S.-
Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. District Supply Officer, Bhagalpur.
4. The Sub-Divisional Officer, Sadar Bhagalpur, District Bhagalpur.
5. The Block Supply Officer, Kahalgaon, District - Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Chandrasekhar Sharma, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad (Aag5)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through

Video Conferencing and the Advocates joined the proceedings

through Video Conferencing from their residence.)

Date : 11-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- i. For issuance of writ in the nature of certiorari to quash the order of Sub-Divisional Officer, Kahalgaon, Respondent No.-4, communicated vide Memo No. 249 dated 04.06.2021 by which Respondent No.-4 suspended PDS License No.-12/19 of the petitioner with immediate effect.
- ii. For issuance of writ in the nature of mandamus directing and commanding the respondent concerned to revoke the suspension order of License No. 12/19 and restored the same in favour of the petitioner so that he run the PDS shop and he should not be suffered irreparable loss.
- iii. For holding and declaration that petitioner deserves to restore his PDS Shop by revoking suspension order of SDO.

And/ or pass such other order or orders as deem fit and proper in the interest of justice.

It is submitted by learned counsel for the State that the licence of the petitioner has been cancelled by the the Sub-Divisional Officer, Sadar Bhagalpur, District Bhagalpur -cum-licensing authority, as such, present petition filed against suspension of the licence has become infructuous.

The writ petition is disposed of with liberty to the petitioner to file an appeal before the appellate authority against the order passed by the Sub-Divisional Officer, Sadar Bhagalpur, District Bhagalpur -cum- licensing authority, and if any such appeal is filed within 4 weeks from today, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.01.2022
Transmission Date	NA