

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11861 of 2021

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Devendra Paswan Son of Nunulal Paswan Resident of Village-Jhagrudih
Panchayat, Peter Pahri, Police Station-Chakai, District-Jamui.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Departemnt of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Jamui.
3. The Sub-Divisional Officer, Jamui.
4. The Block Supply Officer, Chakai, Jamui.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Jharkhandi Upadhyay, Advocate Mr. Manini Jaiswal, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 01-04-2022 The petitioner has approached this Court in writ jurisdiction seeking quashing of an order dated 04.04.2021, whereby the petitioner's licence to run a PDS shop has been cancelled. The petitioner has approached this Court without availing alternative statutory remedy of appeal under the provisions of the Bihar Targeted Public Distribution System (Control) Order, 2016 ('Control Order, 2016' for short).

Learned counsel appearing on behalf of the petitioner, after some argument, has submitted that the petitioner may be



granted liberty to approach appellate authority against the said impugned order dated 04.04.2021.

This application is accordingly disposed of with a liberty to the petitioner to avail statutory remedy of appeal under the Control Order, 2016. It is indicated that if any appeal is preferred within four weeks from today with an application seeking condonation of delay, the appellate authority shall be required to decide the petitioner's appeal on merits upon condoning the delay keeping in mind the fact that the petitioner was pursuing his remedy before this Court by filing the present writ application. It is also indicated that if such an appeal is filed within the time as stipulated in the present order, the same shall be disposed of by the appellate authority within the period prescribed under the Control Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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