

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12466 of 2021

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Shashi Bhushan Kumar Son of Ram Bhajan Singh Resident of Village -
Khakhara, Ladaura, P.S. - Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Consumer and Food Protection Department,
Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur, District Muzaffarpur.
5. The District Supply Officer, Muzaffarpur, District - Muzaffarpur.
6. The Sub-Divisional Officer, East Muzaffarpur, District- Muzaffarpur.
7. The Block Supply Officer, Kanti, District - Muzaffarpur.
8. The Block Supply Officer, Kudhani, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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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)

2 25-03-2022 An order dated 08.06.2021, whereby the petitioner's

licence to run a PDS shop under Bihar Targeted Public

Distribution System (Control) Order, 2016 has been cancelled

by the Sub-Divisional Officer-cum-Licensing Authority, East

Muzaffarpur is under challenge in the present writ application.

The petitioner has not invoked the statutory remedy of

appeal under the Control Order, 2016 which governs grant and



regulation of licence to run PDS shop.

This application is accordingly disposed of with a liberty to the petitioner to prefer appeal against the impugned order before the Appellate Authority. It appears from the records that soon after the impugned order was passed, the petitioner approached this Court by filing the present application. In such view of the matter, it is observed that if any appeal is preferred within four weeks from today with an application seeking condonation of delay, the Appellate Authority shall be obliged to decide the petitioner's appeal on merits after condoning the delay, considering the fact that the petitioner was pursuing his remedy before this Court. It is further observed that the Licensing Authority shall be required to dispose of petitioner's appeal within the time stipulated under the Control Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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