

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12920 of 2021

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Ramdev Mandal S/o Jaldhari Mandal Resident of Village- Madhurapur, P.S.-
Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector Sitamarhi.
3. The Sub Divisional Officer Pupri, Sitamarhi.
4. The Block Supply Officer Bajpatti.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr.S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 07-01-2022 Petitioner has prayed for the following relief(s):

“That the present writ application is being filed on behalf of the sole petitioner above named for setting aside the order contained in memo no. 30 dated 18.01.2020 passed by the learned S.D.O., Pupri by which the PDS license of the petitioner being license no. 16/1998 granted under the provisions of PDS Order 2001 for carrying on business of Fair Price Shop has been cancelled even without supplying the enquiry report and further be pleased to restore the PDS license of the petitioner and also restore the supply of the petitioner.”

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counsel for the petitioner, under instructions, confines his prayer and states that the petitioner shall be content if the petition is disposed of with a direction to the Appellate Authority to consider and decide the Appeal to be filed by the petitioner within a period of four weeks along with a copy of this order, within a period of six months from the date of its filing.

Without expressing any opinion on merits of the claim and leaving all issues on facts and law are left open, petition is disposed of in the following terms:

(a) The petitioner shall make himself available before the Appellate Authority on 06.02.2022;

(b) On the said date, the next date of hearing shall be fixed in the appeal;

(c) Petitioner shall fully cooperate and not take any unnecessary adjournment;

(d) The officer shall adjudicate the issue and pass a speaking order assigning reasons, within a period of six months thereafter;

Needless to say that while considering such appeal, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.



If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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