

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13277 of 2021

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Manorma Devi wife of Rabindra Kumar Bharti resident of Village- Nisarpura,
P.O. Amarpura, Police Station- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Old Secretariat, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub- Divisional Officer cum Licensing Officer, Danapur.
4. The Block Supply Officer, Naubatpur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukul Prasad, Advocate
For the Respondent/s : Mr.Maruth Nath Roy (AC to SC 4)

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 22-02-2022 Heard the learned counsel for the petitioner and Sri

Maruth Nath Roy, learned AC to SC 4 appearing for the State.

The present petition has been filed seeking quashing of the order dated 17.06.2021, passed by the Sub Divisional Officer-cum-Licensing Authority, Danapur, whereby and whereunder the P.D.S. license of the petitioner bearing License no. 31 of 2016 has been cancelled.

We find that admittedly, there is a provision of appeal under ***Rule 32(iii) of Public Distribution System (Control) Order, 2016***, however the petitioner has not availed the said



alternative remedy. On a query being made to the learned counsel for the petitioner that as to whether the petitioner would like to prefer an appeal against the impugned order dated 17.06.2021, the learned counsel for the petitioner submits that the petitioner would definitely file an appeal, however a stipulated time frame be fixed for disposal of the same.

Having regard to the facts and circumstances of the case, we deem it fit and proper to dispose off the present writ petition as not pressed, however grant liberty to the petitioner to file appropriate appeal within a period of two weeks from today, which shall be disposed of by the learned District Magistrate, Patna, on merits, within a period of eight weeks, thereafter, by a reasoned and a speaking order.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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