

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10504 of 2020

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Ajay Kumar Bhagat aged about 53 years, male, Son of Late Keshav Bhagat,
resident of Sat Kodariya, P.O. Gangeli, P.S. K. Nagar, District - Purnea.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary Civil Supply Department, Old Secretariat, Patna.
2. The Collector, Purnea.
3. The Sub-Divisional Officer, Sadar Cum Supply Officer Purnea.
4. The Marketing Officer, K.Nagar, Purnea.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Adv.
For the Respondents : Mr. Aravind Ujjwal SC-4

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

Date : 11-01-2022

This case has been taken up for online hearing through video-conference because of COVID-19 pandemic restrictions.

2. The petitioner's license to run a PDS shop was cancelled by an order dated 16.06.2012 passed by the Sub Divisional Officer, Sadar, Purnea. He had preferred an appeal against the said order before the Collector, Purnea giving rise to Supply Appeal No. 131 of 2012 which stood dismissed by an order dated 21.10.2016. More than four years after passing of the said order dated 21.10.2016, the petitioner has filed the



present writ application seeking quashing of the order of the Licensing Authority dated 16.06.2012 and Appellate Authority dated 21.10.2016.

3. In order to explain delay in approaching the Court, the petitioner has made the following statements in paragraph No.21 of the writ application:

“21. That further it is stated that the petitioner was ready to come to this Hon’ble Court in March, 2020 itself but due to Pandemic Covid-19 he was forced to remain indoor and further due to lock down which came in effect with 25th March, 2020.”

4. In our considered opinion, the said statement does not at all explain the delay on the part of the petitioner in approaching this Court invoking extraordinary jurisdiction under Article 226 of the Constitution of India. This writ application is accordingly dismissed on the ground of delay and laches.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

