

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3920 of 2021

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Jainab Tara @ Jaintara Khatoon, female, aged about 42 years, W/o Late hakim Miyan @ Hakim Ansari P.D.S., Dealer, R/O Village - Rampurwa, Post-Tola Chapariya, P.S. - Mainatand, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Deptt. Govt. of Bihar, Patna.
2. The District Magistrate, District- West Champaran at Bettiah.
3. The District Supply officer, District - West Champaran at Bettiah.
4. The Sub Divisional Officer, Narkatiyaganj, District- West Champaran at Bettiah.
5. The Block Supply Officer, Block - Mainatand, District- West Champaran, Bettiah.
6. The Supply Inspector, Block- Mainatand, District- West Champaran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
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)

2 21-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

2. The petitioner has alternative remedy of appeal against the order date 21.04.2020 passed by the Sub Divisional Officer, Narkatiyaganj, West Champaran, Bettiah, whereby his license under Bihar Targeted Public Distribution System (Control) Order, 2016 (for short 'the Control Order, 2016') has



been cancelled.

3. It is the petitioner's case that the impugned order has been issued without giving her any opportunity of hearing.

4. Since the petitioner has alternative remedy of appeal which she has not invoked, this application is disposed of with a liberty to the petitioner to prefer appeal before the Appellate Authority. If any appeal is preferred within four weeks from today with an application seeking condonation of delay, the Appellate Authority shall be required to consider the same without going into the question of limitation, keeping in mind the pandemic situation and the fact that the petitioner was pursuing her remedy before this Court by filing present writ application and decided the petitioner's appeal on merits. It goes without saying that the Appellate Authority shall be required to dispose of petitioner's appeal within the period prescribed under the Control Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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