

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14397 of 2021

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Shiv Chandra Baitha Son of Late Ram Ayodhya Baitha Resident of Village -
Ruphara, P.S. Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary, Food and Consumer Protection Deptt. Govt. of Bihar, Patna.
2. The District magistrate Cum Collector, East Champaran, Motihari.
3. The District Supply Officer, East Champaran, Motihari.
4. The Sub Divisional Officer, Sikrahna at Dhaka, District East Champaran, Motihari.
5. The Block Supply Officer, Chiraiya, District- East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, 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 JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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Date : 19-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



1. That the writ application is being filed seeking prayer of a writ in the nature of mandamus and direction upon the Respondent No. 2 (District Collector, East Champaran, Motihari) to disposed of the supply appeal (Shiv Chandra Beuth, a Sub Divisional Officer, Sikrahna at Dhaka & Ors.) filed against the order passed by Sub Divisional officer, Sikrahna at Dhaka, East Champaran, Motihari (Respondent No. 4) whereby P.D.S. licence of the petitioner bearing No. 86/07-08 has been ^{cancelled.} ~~quashed.~~

For any other relief/s for which the petitioner is found to been titled in the facts and circumstances of the case.

Learned counsel for the petitioner states that petitioner's appeal is pending before the appellate authority and petitioner shall be content if a direction is issued for expeditious disposal of the same.

Learned counsel for the respondents states that the appeal shall be considered and decided within a period of three months from the date of appearance of the petitioner before the



Appellate Authority along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall make himself available before the Appellate Authority on 16th of February, 2022;

(b) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural justice;

(f) The Appellate Authority shall pass a reasoned and speaking order, within a period of three months from the date of appearance of the petitioner before the Appellate Authority;

(g) Copy of the order passed by the Appellate Authority shall be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;



(h) 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;

(i) We have not expressed any opinion on merits and all issues are left open;

(j) Liberty reserved to the petitioner to assail the order, before the appropriate forum, should the need so arise subsequently.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

