

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14461 of 2021**

Umesh Rai @ Umesh Roy, S/o Late Kokan Rai @ Kokan Roy Resident of  
Village- Jhandapur (West), P.S.- Bihpur (Jhandapur O.P.), District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, New Secretariat, Government of Bihar, Patna.
2. The Divisional Commissioner Bhagalpur.
3. The Collector-cum- District Magistrate Bhagalpur.
4. The Sub- Divisional Officer Sub- Division, Navgachhia, District- Bhagalpur.
5. The Block Supply Officer Bihpur, Sub-Division, Navgachhia, District- Bhagalpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mrs. Namrata Mishra, Advocate  
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL JUDGMENT**

**(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.)

**Date : 19-01-2022**

Heard learned counsel for the parties.

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

- (1) For quashing of order contained in memo no.59 dated 22.01.2021 issued by the Sub-Divisional Officer, Navgachhia, District-Bhagalpur, whereby and whereunder the PDS License no.18/2016 of the petitioner has been cancelled with immediate effect.



- (II) Consequently for direction to the Respondents to immediately start the allotment of food grains to the petitioner for distribution among the beneficiaries.
- (III) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this 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/-

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