

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14512 of 2021

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Raj Kumar Mandal, aged about 66 years, Gender-Male, Son of Brijlal Mandal, Resident of Village - Hathapur Parsa, Ward No. 16, P.S. - Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Jaynagar, District - Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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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

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

“To issue a writ in the nature of certiorari to quash the Memo No.852 dated 13.08.2019 issued by the S.D.O., Jaynagar, District-Madhubani by which he has cancelled the license of P.D.S. Dealer shop of the petitioner bearing License No.38 of 2016 without considering the show cause submitted by the petitioner as well as without any fault in the part of the petitioner further for issue a writ in the nature of mandamus to command the respondents authorities to restore the said license of the petitioner as petitioner has performed his duty fair fully”.



After the matter was heard for some time, learned counsel for the petitioner does not want to press the present petition reserving liberty to file appeal before the appropriate authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such appeal is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the appeal shall be heard on merits, to be decided within a period of three months from the date of its filing.

We only hope and expect the appropriate authority to consider and decide the appeal on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on facts and law. All issues are left open.

Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the liberty aforesaid.

Interlocutory application, if any, shall also stand



disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

