

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No 10486 of 2020**

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Santosh Kumar S/o Late Chatrubhuj Prasad Resident of Village- Chhajan Hari Shankar, Panchayat- Chhajan Hari Shankar East Block- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply Department, Govt of Bihar, Patna.
2. The Sub-Divisional Magistrate, West, Muzaffarpur, PS-Town, District- Muzaffarpur.
3. The Block Supply Officer, PS-Kudhani, Distt-Muzaffarpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr Shankar Kishore Shahi, Advocate  
For the Respondent/s : Mr Aravind Ujjwal, SC IV

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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     17-01-2022**                      This case has been taken up for online hearing through video-conference because of COVID 19 pandemic restrictions.

Heard learned counsel for the parties.

The petitioner has questioned an order dated 11.06.2020 passed by the licensing authority -cum- Sub Divisional Officer, West, Muzaffarpur whereby the petitioner's licence to run fair price shop under the Bihar Targeted Public Distribution System (for brevity, *BTPDS*) (Control) Order, 2016 has been cancelled.

Learned counsel for the petitioner has submitted that



the licence number, which has been mentioned in the impugned order, is not the licence number of the licence, which was granted to the petitioner to run the Public Distribution System Shop. He has submitted that the said order is patently illegal.

Be that as it may, it is not in dispute that the petitioner has alternative remedy of appeal against the impugned order.

This application is, accordingly, disposed of with liberty to the petitioner to prefer appeal before the appellate authority.

If appeal is preferred within four weeks from today with an application for condonation of delay, it is expected from the appellate authority to decide the petitioner's appeal on merit, as expeditiously as possible and within the period as specified in the BTPDS Order, 2016, without rejecting the petitioner's appeal on ground of limitation, considering the COVID 19 pandemic situations and the fact that the petitioner was pursuing his remedy by filing the present writ application.

**(Chakradhari Sharan Singh, J)**

**(Madhuresh Prasad, J)**

M.E.H./-

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