

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14614 of 2021

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Ritu Kumari, Wife of Dharmaraj Ram, Resident of Village-Karmahri Ward no. 04, Panchayat-Kota, Block-Nuwaon, P.S.-Kudhani, Sub-Division-Mohania, District-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary Food and Consumer Protection Department Bihar, Patna
3. The Collector Kaimur (Bhabhua)
4. District Supply Officer Kaimur (Bhabhua)
5. Sub-Divisional Officer (S.D.O.) Mohania Sub-Division
6. Block Supply Officer, Nuwaon
7. Amitabh Bachchan Ram, S/o Jagdish Ram Resident of Village-Choubeypur, Panchayat-Kota, Block-Nuwaon, P.S.-Kudhani, Sub-Division-Mohania, District-Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Achhaibar Singh, Advocate

For the Respondent/s : Mr. Arvind Ujjwal (SC4)

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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 : 28-01-2022



The petitioner has prayed for the following relief/s :-

“For setting aside the letter vide memo no.IV-28-21/34 (Moo) dated 24 May 2021 issued by Sub-Divisional Officer, Mohania by which license no. 02/2021 was issued in the name of Respondent No.7 for opening the shop of new Public distribution system when the name of petitioner is at serial no. 2 of merit list and the name of respondent no.7 is at serial no.5 of merit list and also for setting aside order dated 02.07.2021 passed by respondent no.7.”

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer revision against the impugned order before the Revisional Authority.

Permission granted.

Learned counsel for the respondents states that if such revision is preferred within a period of four weeks from today, the issue of limitation shall neither be raised nor allowed to come in the way of adjudication of the revision on merits.

Statement accepted and taken on record.

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

(a) Petitioner is permitted to prefer revision within a period of four weeks from today;

(b) In the event of revision being preferred within a period of four weeks from today, the issue of limitation shall not



come in the way of adjudication of the revision on merits;

(c) 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 Revisional Authority shall decide the revision on merits, in compliance of the principles of natural justice;

(f) The Revisional Authority shall pass a reasoned and speaking order within a period of eight weeks from the date of filing of the revision, copy whereof 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) If necessary, proceedings during the time of



current Pandemic [Covid-19] would be conducted through digital mode;

The instant petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	29.01.2022
Transmission Date	

