

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15259 of 2021

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Asharphi Jha, Son of Sukhadev Jha, Resident of Village- Birpur, P.S.- Basopatti,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Food and Civil Supplies, Bihar,
Patna.
3. The District Magistrate, Madhubani.
4. The District Supply Officer, Madhubani.
5. The Sub Divisional Officer, Jaynagar, Madhubani.
6. The Block Supply Officer, Basopatti, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhinay Raj, Advocate
For the Respondent/s : Mr.S. Raza Ahmad, AAG-5

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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 25-03-2022 The matter has been taken up for online hearing

through video conference because of COVID-19 pandemic

restrictions.

The petitioner has put to challenge an order dated
21.06.2021 passed by the Sub-Divisional Officer, Jaynagar,
Madhubani, whereby his licence to run a PDS shop under the
Bihar Targeted Public Distribution System (Control) Order,
2016 (in short, 'Control Order, 2016') has been cancelled.

The petitioner has not invoked the remedy of appeal
against the impugned order as available under the Control



Order, 2016.

In such view of the matter, learned counsel for the petitioner seeks permission to withdraw this writ application with a liberty to prefer appeal against the impugned order dated 21.06.2021.

This application is permitted to be withdrawn with the liberty as sought.

On perusal of the records, it is evident that the petitioner had approached this Court soon after passing of the impugned order, by filing the present writ application.

In such view of the matter, it is observed that if the petitioner prefers appeal within four weeks from today, with an application seeking condonation of delay, the appellate authority shall be under obligation to decide the petitioner's appeal on merits after condoning the delay in preferring appeal. The appeal must be disposed of within the period stipulated under the Control Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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