

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15847 of 2021

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Baliram Ram, S/o Late Ram Ayodhya Ram, R/o Village Jaukatiya, P.S.
Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Deptt.
Government of Bihar, Patna.
2. The District Magistrate, West Champaran, Bettiah.
3. The Sub-Divisional Officer, Bettiah, Sadar, West Champaran.
4. The District Supply Officer, West Champaran, Bettiah.
5. The Additional District Supply Officer, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Respondent/s : Mr. S. Raza Ahmad (Aag5)

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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 : 20-01-2022

The petitioner has prayed for the following relief/s



- (a) Through this writ application the petitioner seeks indulgence of this Hon'ble Court for issuance of a writ in the nature of Mandamus, or any other appropriate writ, order or direction to the respondent authority particularly D. M. Cum Collector, Bettiah, West Champaran (Respondent No. 2) to decide the Appeal bearing CRM No. 706/2020-21 dated 18.03.2021 pending before him, since the period prescribed for determination of appeal has already been lapsed.
- (b) For issuance of any other appropriate writ order/orders, direction/directions for which the petitioner shall be found entitled under the facts and circumstances of the case.

Learned counsel for the petitioner states that petitioner's appeal being CRM No. 706/2020-21 is pending consideration 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 aforesaid appeal shall be considered and decided within the statutory period.

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 03.02.2022;

(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 the statutory period;

(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)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

