

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11940 of 2022

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Bhartendu Jha Son of Devendra Jha R/o Village-Jalwar, P.O.-Kamrauli, Police Station-Simri, District-Darbhangha, Bihar-847428.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary-Cum-Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Sub-Divisional Officer, Darbhanga Sadar, Darbhanga.
6. Laxman Jha Son of Raj Kant Jha, R/o Village-Jalwar, P.O.-Kamrauli, Police Station-Simri, District-Darbhangha, Bihar-847428.
7. Gopalji Thakur Son of Jagdish Thakur R/o Village-Jalwar, P.O.-Kamrauli, Police Station-Simri, District-Darbhangha, Bihar-847428.
8. Punyanand Thakur Son of Late Baleshwar Thakur R/o Village-Jalwar, P.O.-Kamrauli, Police Station-Simri, District-Darbhangha, Bihar-847428

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Kaushik, Advocate Mr. Pushkar Bhardwaj, Advocate Mrs. Namrata Dubey, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
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 : 26-08-2022

Heard learned counsel for the parties.



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

That the present writ application in the nature of Public Interest Litigation is being filed for issuance of an order, direction or a writ of *mandamus* for directing the official respondents to take appropriate action against the nos.6 to 8, who are PDS License owners and have been found to be selling the food grains to the villagers at a higher rate without giving any cash-memo while using fraudulent weighing machine vide Inquiry report dated 13.01.2022 pursuant to an Inquiry conducted jointly by the Block Supply Officer, Benipur and Darbhanga Sadar respectively, which had been forwarded to the respondent no.5, i.e., Sub-Divisional Officer, Darbhanga Sadar by the District Supply Officer, Darbhanga.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.



The petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	30.08.2022
Transmission Date	

