

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17015 of 2021

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Manju Devi, W/o Baleshwar Prasad Gupta, Resident of Village-Madhopur,
Ward No. 17, P.S.-Kutwali, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Patna.
2. The District Magistrate, Munger.
3. The Sub-Divisional Officer, Sadar, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Respondent/s : Mr. S. Raza Ahmad (AAG-5)

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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 : 21-01-2022

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



That the present writ application is being filed in the nature of mandamus commanding the Respondent specially Respondent No.2 to disposal of the Supply appeal ~~10000/2021~~ which was filed against the order of cancellation of License of PDS shop dated 26.6.2021 passed by S.D.O Sadar Munger vide Memo No. 517.

Learned counsel for the petitioner states that petitioner's appeal being Appeal No.3 of 2021 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, i.e. Respondent No.2, namely, the District Magistrate, Munger, on 3rd of February, 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	22.01.2022
Transmission Date	

