

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 16895 of 2021

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Ram Kishun Tatma Son of Bachhi Tarma Resident of -Kohwara Bishanpur
Ward No.7, P.S.-Raniganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Food and Civil Supplies,
Government of Bihar, Patna.
3. The Collector Cum District Magistrate, District-Araria.
4. The District Supply Officer, District-Araria.
5. The Sub Divisional Officer, Araria, District-Araria.
6. The Block Supply Officer, Raniganj, District-Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Dhirendra Kumar Jha, Advocate
For the Respondent/s : Mr Arvind Ujjwal, SC IV

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CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

Date : 25-03-2022

This case has been taken up for online hearing through
video-conference because of COVID 19 pandemic restrictions.

2 Heard learned counsel for the petitioner and the
respondents.

3 The petitioner holds a licence to run Public
Distribution Shop under Bihar Targeted Public Distribution
System (Control) Order, 2016. His licence was cancelled by an



order dated 17.05.2020 passed by the licensing authority. The order of the licensing authority was, however, set aside by the appellate authority, subsequently by an order dated 23.03.2021. In the light of the said order dated 23.03.2021, the Sub Divisional Officer -cum- Licensing Authority has passed an order dated 06.07.2021 restoring the petitioner's license. The petitioner has approached this Court seeking direction to the respondents to permit him to distribute the foodgrains which were in the stock at the time of the cancellation of licence. The petitioner is also seeking a direction to restore all facilities, consequent upon restoration of licence, such as mapping of his Electronic Point of Sale machine. Learned counsel appearing on behalf of the petitioner has submitted that the said machine is non-functional. It has been stated in the writ petition that 179.01 quintals of rice and 71.84 quintals of wheat was in stock in the godown when the licence was cancelled.

4 In our opinion, in the exercise of writ jurisdiction under Article 226 of the Constitution of India, the Court is not required to enter into such issue, as raised in the present writ petition. It is an admitted fact that the petitioner is getting supplies of foodgrains for the purpose of its distribution. The petitioner appears to have not approached the Sub Divisional Officer, who is the licensing authority, for the relief which he is seeking.



5 We, accordingly, dismiss the writ petition, however, with a liberty to the petitioner to approach appropriate authority/authority for redressal of his grievance.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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