

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17102 of 2021

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Raju Kumar Bhandari, S/o Shrikant Bhandari, Resident of Village and Post -
Satghara, Ward No. No. - 14, Rahika, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar, Patna,
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Sadar, Madhubani.
4. The Block Supply Officer, Rahika, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gyan Shankar, Adv
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-01-2022

Heard learned counsel for the parties.

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

“(i) Issuance of a writ, writ(s), order orders for quashing the order bearing Memo No. 456 dated 09.04.2021 passed by the Sub-divisional Officer, Sadar, Madhubani whereby and whereunder the PDS shop license of the petitioner bearing license no. 30/2017 has been cancelled for alleged violation of clause-14 of Bihar Targeted Public Distribution System (Control) Order,

2016.

(ii) For quashing the consequential order bearing memo no. 491 dated 16.04.2021 passed by the SDO, Sadar, Madhubani whereby and whereunder after cancelling then PDS license of the petitioner the shop of the petitioner has been tagged with another PDS shop.”

Learned counsel for the petitioner submits that petitioner has submitted E-challan which was overlooked by the licensing authority while passing the order.

It is submitted by learned counsel for the State that petitioner has approached this court against the order passed by the licensing authority cum SDO, Sadar, Madhubani by which PDS license of the petitioner has been cancelled and petitioner has remedy of appeal before the Appellate Authority i.e. District Magistrate, Madhubani.

Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as such, petitioner is granted liberty to file an appeal before the appellate authority against the order passed by the Sub-Divisional Officer, Sadar, Madhubani -cum- licensing authority, and if any such appeal is filed within 4 weeks from today, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

With aforesaid liberty, the writ petition stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA