

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18118 of 2021

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Shivpujan Prasad Gupta Son of Late Paras Nath Gupta, resident of Mohalla-Shastrinagar, Gulabbagh, Ward No. 36, Police Station-Purnea Sadar, District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Agriculture Department, Government of Bihar, Patna.
2. The Commissioner, Purnea Division, Purnea.
3. The District Magistrate, Purnea.
4. The Sub-Divisional Officer, Sadar Sub-Division, Purnea -cum-Special Officer, Agriculture Produced Bazar Samiti (Superseded), Gulabbagh, Purnea.
5. Mr. Bhawesh Anand, Incharge, Bazar Samiti, Gulabbagh, Purnea.
6. Mr. Vinod Rakshit, son of Late Devendra Chandra Rakshit, resident of Mohalla-Shastrinagar, Gulabbagh, P.S.-Purnea Sadar, District-Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Singh, Advocate Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s	:	Mr.Anant Pd. Singh (S.C.15)

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

Date : 29-06-2022

Heard learned counsel for the parties.

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

1. That this writ application is being filed on behalf of the petitioner in nature of writ/writs, order/orders, direction/directions upon the Respondents to renew the License No. LN.26/96-97 for the Firm namely M/s Deepak Kumar Sandeep Kumar, Gulabbagh Bazar Samiti, Purnea and further directions upon the respondents to remove the Respondent No.06

from the Shop No. ~~55~~44 who has fraudulently encroached/captured the shop of the petitioner with connivance/help of the Respondent No.5 by creating forged and fabricated false documents.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **(Respondent No. 3, The District Magistrate, Purnea) or any of the statutory authority** to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

- (a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably

within a period of four months from the date of its filing along with a copy of this order;

- (c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;
- (f) 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;
- (g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;
- (h) We have not expressed any opinion on merits. All issues are left open;
- (i) The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e.

physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	