

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18168 of 2021

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Ramdev Chaudhary S/o Chedi Lal Chaudhary Resident of Maidapur
Sarfuddinpur, P.S.- Bochaha, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Muzaffarpur.
3. The Sub Divisional Officer (East), Muzaffarpur.
4. The Block Supply Officer, Bochaha, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv
For the Respondent/s : Mr. S Raza Ahmad (AAG-5)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 29-04-2022 The petitioner has put to challenge an order dated 03.09.2021 passed by the Sub-Divisional Officer (East) Muzaffarpur-cum-Licensing Authority whereby the petitioner's licence to run PDS shop under Bihar Targeted Public Distribution System (Control) Order, 2016 ('Control Order' for short) has been cancelled.

Before approaching this Court, the petitioner has not availed the statutory remedy of appeal under the Control Order.

Considering the facts of the case, this application is



disposed of with a liberty to the petitioner to prefer appeal against the impugned order.

Considering the fact that the petitioner approached this Court soon after passing of the impugned order by filing present writ application, it is observed that if the petitioner prefers appeal within four weeks from today with an application for condonation of delay, the Appellate Authority shall be under obligation to decide the petitioner's appeal on merit after condoning the delay keeping in mind the fact that petitioner was pursuing his remedy before this Court by filing present writ application. The Appellate Authority shall be further obliged to decide the petitioner's appeal within the time prescribed under the Control Order.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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