

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18852 of 2021

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Abhinandan Chaudahry, Son of Late Ramkhelawan Chaudahry Resident of
Vilalge-Sisauni Kothi P.S.-Dandari District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chief Secretary State of Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The District Supply Officer, Begusarai.
5. The Sub Divisional Officer (S.D.O.) Balia, Begusarai.
6. The Block Supply Officer, Dandari, District-Begusarai.
7. The Block Development Officer, Dandari, District-Begusarai.
8. The Mukhiya Gram Panchayat raj Utari Katarmala, Block-Dandari, District-Begusarai.
9. The Panchayat Secretary Gram Panchayat Raj Utari Katarmala Block-Dandari, District-Begusarai.
10. Rakesh Chaudahry Son of Late Shri Narayan Chaudahry Resident of Village-Sisauni Kothi P.S.-Dandari District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(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.)

Date : 31-01-2022

Heard learned counsel for the parties.

2. Petitioner has prayed for the following relief(s).

“1. For issuance of a writ in the nature of
Mandamus commanding and directing to the

respondents to hold an inquiry with regard to P.D.S. Shop of the respondent No. 10 Rakesh Chaudhary situated under Gram Panchayat Raj Utari Katarmala, Block Dandari, District – Begusarai and after competition of enquiry if found guilty the License of P.D.S. Shop of respondent No. 10 Rakesh Chaudhary may be cancelled as well as punish suitably to him because the respondent No. 10 is not distributing the food grain and other consumer item provided under public distribution system to the petitioner and his family members.”

3. After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, 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. 5, The Sub Divisional Officer (S.D.O.) Balia, Begusarai)** 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).

4. 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.

5. Statement accepted and taken on record.

6. 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) The order assigning reasons shall be communicated to the petitioner;
- (d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (f) Equally, liberty is reserved to the petitioner

to take recourse to such alternative remedies as are otherwise available in accordance with law;

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

(j) 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;

7. The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	