

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21169 of 2021

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Rita Devi Wife of Late Mithilesh Prasad Resident of Village- Miyapur, P.O.-
Shankardih, P.S.- Goh, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply
Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Aurangabad, Bihar.
3. The Sub-Divisional Office, Daudnagar, District- Aurangabad, Bihar.
4. The Supply Inspector, Goh, District- Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Advocate
For the Respondent/s : Mr. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 22-02-2022

Heard Mr. Kamendra Prasad Singh, learned
Advocate for the petitioner and Mr. Anisul Haque for the
State.

The petitioner is aggrieved by the cancellation of
a PDS licence and such order having been sustained in
appeal by the District Magistrate-cum-Collector,
Aurangabad.

From the perusal of the impugned appellate
order, it appears that the petitioner did not respond to the
show-cause notice.



It is the contention of the petitioner that at the relevant time, he had been suffering from Sciatica and that she was given only two clear days to explain her cause.

Thus, the main contention of the petitioner is that her explanation was not taken into account and an order has been passed which is not in consonance with the actual state of facts.

From the perusal of the petition as also the impugned orders, we find that no explanation was offered by the petitioner. The factum of the petitioner suffering from Sciatica at the relevant time has also not been established.

We, therefore, do not intend to interfere with the order passed in the appeal.

However, we are inclined to grant liberty to the petitioner to approach the Divisional Commissioner by way of revision against the aforesaid order.

Should such a revision be filed by the petitioner within a period of 30 days, the Commissioner shall dispose it of within a period of 60 days of the filing of such revision application.

Needless to state that it would be a reasoned order which shall be communicated to the petitioner forthwith.



With the aforesaid direction/observation, the writ petition stands disposed off.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2022
Transmission Date	NA

