

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16202 of 2022

=====

Guriya Devi @ Mamta Devi W/o Laxman Lal @ Latraman Lal, resident of
Village- Bahoranpur Tikapur, P.S. Shahpur, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The District Magistrate, Bhojpur at Ara.
3. The Sub- Divisional Officer, Jagdishpur, Bhojpur.
4. The District Supply Officer, Bhojpur at Ara.
5. The Block Supply Officer, Shahpur, Bhojpur at Ara.
6. Vijay Nath Rai, P.D.S. Dealer, Lachhu Gram Panchayat, Resident of Village- Tikapur, P.S. Shahpur, District- Bhojpur at Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta, Advocate

For the Respondent/s : Mr.S. Raza Ahmad, AAG 5

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(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 : 25-11-2022

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

“For issuance of an appropriate writ and/or direction commanding the respondents to cancel the P.D.S. License (P.D.S. Lic. No. 33/16) of respondent No. 6 as its continuation as a P.D.S. License is illegal and is not in accordance with Public Distribution



Control (Orders).”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to prefer an appeal, as envisaged under Rule 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016, before the appropriate authority.

Prayer allowed.

She may do so within a period of four weeks.

Learned counsel for the State states that if any such appeal is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the appeal shall be heard on merits, to be decided within a period of three months from the date of its filing.

Statement accepted and taken on record.

We only hope and expect the appropriate authority to consider and decide the appeal on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on merits. All issues are left open.

Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the



liberty aforesaid.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	29.11.2022
Transmission Date	

