

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.937 of 2023

Subodh Rajak

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (SC-4)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 16-05-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“1. A. A Certiorari for quashing and setting aside the order passed by the Licensing Authority-Cum-Sub-Divisional Officer, Kahalgaun and issued vide Memo No. 3574 dated 13/12/2022 whereby and where under license of the petitioner's P.D.S. shop bearing license No. 11/2016 has been cancelled with immediate effect contained in Annexure-1.

B. A mandamus commanding the Respondents to restore the petitioner's license and to make allotment for the same as before.

C. Any other relief or reliefs for which petitioner may be found entitled in the fact and circumstances of the present case may be granted to him.”

2. The petitioner without exhausting statutory remedy of appeal before the Appellate Authority – District Magistrate, he has approached this Court.

3. Accordingly, present writ petition stands disposed of, reserving liberty to the petitioner to prefer appeal before the



Appellate Authority, in the light of Apex Court's decision in the case of ***State of Jammu and Kashmir V/s. R.K. Zalpuri & Ors.*** reported in ***AIR 2016 SC 3006***. If such appeal is filed, the Appellate Authority is hereby directed to take note of delay issue in the light of Section 14 of the Limitation Act, 1963 and further Appellate Authority is hereby directed to decide the petitioner's appeal in the event of filing of appeal within a reasonable period of time.

(P. B. Bajanthri, J)

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