

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4781 of 2023

Sukhnandan Chaudhary Son of Bahadur Chaudhary Resident of Village-
Ismailpur, P.S.-Hajipur Sadar, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Additional District Magistrate, Vaishali.
3. The Sub-Divisional Officer, Hajipur, District-Vaishali.
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Adv.
For the Respondent/s : Mr. S. Raza Ahmad (AAG- 5)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

6 17-07-2023 Heard learned counsel for the parties.

2. The present writ petition is filed for the following

reliefs:-

- (I) For quashing and setting aside the order passed by the Sub - Divisional Officer, Hajipur vide Memo No. 02 dated 14/3/2012 whereby and whereunder license of the petitioner's Fair Price shop bearing license No. 31/2007 has been cancelled with immediate effect contained in Annexure-1 and quashing and setting aside the order dated 15/12/2022 passed by the learned Additional District Magistrate, Vaishali in P.D.S. Appeal Case No.- 04/2022-23 whereby and whereunder appeal filed by the petitioner against the cancellation order has been rejected vide Memo No. 867 dated 15/12/2022 contained in Annexure-7.
- (ii) A mandamus commanding the Respondents to restore the petitioner's licence as before and to make allotment for the petitioner's shop.
- (iii) 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.

3. Without going into the merits or demerits of the case, having regard to the fact that the petitioner is having an alternative remedy of approaching the Divisional Commissioner, against the order of the Sub-Divisional Officer, Hajipur dated 14.03.2012 vide Memo no. 02. (**Annexure-1**) and order dated 15.12.2022 (vide memo no. 867) passed by the learned Additional District Magistrate, Vaishali in P.D.S. Appeal Case No. 04 of 2022-23 (**Annexure -7**).

4. This writ petition is disposed of by granting liberty to the petitioner to approach the Divisional Commissioner within a period of two weeks from today.

5. On such revision petition being filed, the revisional authority shall consider all the issues raised by the petitioner in the revision petition and deal with them in accordance with law.

6. The revision petition shall be disposed of within a period of two months thereof.

(A. Abhishek Reddy , J)

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