

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6898 of 2023

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Md. Mazharul Haque S/o Md. Jafar Ali R/o Village Katai, P.S. Rahika,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Supply, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Madhubani
4. The Sub Divisional Officer-cum-Licensing Authority, Sadar, District- Madhubani
5. The Block Supply Officer, Rahika, District- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Adv.
For the Respondent/s : Mr. S. Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

3 13-10-2023 Heard the learned counsels for the parties.

The present writ petition has been filed for the
following relief(s):-

“1. That this is the writ petition being filed before this Hon'ble High Court on behalf of the aforesaid petitioner for issuance of a writ in the nature of 'certiorari' whereby and where-under setting aside the order dated 02.08.2022, passed by Ld. Collector District Madhubani, in Supply Appeal Case No. 137/2022, by which, the cancellation of PDS license being 41/2017 vide order dated 21.09.2021 as contains in Memo No. 12, dated 11.01.2022 issued and signed under



the signature of Licensing Authority - cum - Sub Divisional Officer, Sadar Madhubani, District Madhubani has been affirmed without appreciation of facts and proper consideration of show cause filed by the petitioner hereinabove; and further prayer of the petitioner hereinabove is to commanding and directing the state respondents to restore the PDS license to the petitioner which he may run for the larger interest of the beneficiaries attached to his PDS shop.”

3. Without going into the merits or demerits of the case, having regard to the fact that the petitioner is having an alternative and efficacious remedy of filing a revision under Section 32(vi) of the Control Order 2016. The petitioner is directed to approach the Divisional Commissioner ventilating his grievance within a period of four weeks from the date of the receipt of a copy of this order. On receipt of the revision, the Divisional Commissioner shall pass necessary orders strictly in accordance with law within a period of four weeks thereof. It is needless to mention that before any order is passed, all the parties shall be put on notice and given an opportunity of hearing and submit their objections. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks thereof. Any order passed



shall be communicated to all the parties.

4. With the above said directions, the writ petition stand disposed off.

(A. Abhishek Reddy, J)

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