

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14113 of 2022

Parmanand Yadav, aged about 68 years, (Male), Son of Late Mahendra Prasad Yadav, Resident of Village- Bharko, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate-Cum- Collector, Banka.
3. The Licensing Authority-Cum- Sub- Divisional Officer, Banka, District- Banka.
4. The Assistant District Supply Officer, Banka.
5. The Block Supply Officer, Amarpur, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (SC 4).

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

3 05-12-2023 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the following reliefs:-

(i) For issuance of a writ in the nature of certiorari quashing the order dated 24.06.2022 passed by the Learned Collector, Banka in E.C. Appeal Case no. 636/2021-22 (Annexure-8) by which the learned Collector upheld the order of cancellation of Licence of the petitioner and further quashing the order dated 18.06.2020 contained in Letter no. 191 (Annexure-4) passed by the learned Sub-Divisional officer, Banka whereby the Sub-Divisional Officer, Cancel the Licence of the petitioner vide Licence no. 31/2019 for fair price shop under Public Distribution System.

(ii) For directing the respondents concerned to allow the petitioner to run the shop



under public Distribution system in Bharako panchayat under Amarpur Block in the District of Banka.”

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.

4. It is needless to mention that before any order 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.

5. With the above directions, the present Writ petition stands disposed off to the extent indicated above.

(A. Abhishek Reddy , J)

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