

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16376 of 2022

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Akhilesh Kumar Son of Sri Madhandhari Singh Resident of Village-
Bishambharpur, Block Bikram, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar at Patna.
2. Principal Secretary, Food and Consumer Protection Department, Bihar at Patna.
3. The District Magistrate-cum-Collector, Patna, District- Patna.
4. The Sub Divisional Officer, Paliganj, District- Patna.
5. The Sub Divisional Officer, Paliganj-cum-Licensing Authority, Paliganj, District- Patna.
6. The Block Supply Officer, Bikram, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Singh, Advocate Mr. Nikhil Singh, Advocate
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 23-01-2023 Heard Mr. Sumit Kumar Singh, learned advocate for

the petitioner and Mr. Upendra Pratap Singh for the State.

The license of the petitioner has been cancelled by a

reasoned order.

The learned counsel for the petitioner submits that

from the perusal of the order, it would plainly appear that the

grounds raised by the petitioner in his show-cause reply has



not been properly appreciated. He further submits that the opinion of the Block Supply Officer that the petitioner is a habitual offender has weighed heavily with the Licensing Authority and therefore the order of cancellation has been passed.

We are not inclined to entertain this petition on these two grounds for the reason that the petitioner has not exhausted his statutory remedy of appeal.

The petition is rejected.

Should such an appeal be filed within a period of thirty days, the appellate authority shall take up the matter and after giving reasonably sufficient time to the petitioner to represent his cause, shall pass a final order within the next sixty days, with reasons in support of such order. The order so passed shall be made available to the petitioner forthwith.

The petition stands dismissed as withdrawn with the afore-noted observation.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

Gaurav/-

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