

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25791 of 2019

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Bipin Mandal Son of Rameshwar Mandal Resident of Ward No. 4, Near
Sitaram Library, Jagdar, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Food and Civil Supplies,
Patna.
2. The Principal Secretary, Food and Civil Supplies, Patna.
3. The District Magistrate Begusarai.
4. The Sub- Divisional Magistrate Begusarai-cum- Licensing Authority.
5. The Block Supply Officer Birpur, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

2 30-08-2023 The present writ petition has been filed for the

following reliefs;

“i. For issuance of an appropriate writ/s, order/s, Direction/s for quashing order dated 18.11.2019 contained in Memo No. 410 passed by respondent no. 4 whereby and under in purported exercise of power under Clause -27 (I) or Bihar Targeted Public Distribution: Order, 2016 the System (Control) licence of the petitioner bearing BIR-09/2016 for Gram Panchayat without Jagdar has been cancelled appreciating and considering show cause filed by the petitioner.

ii. For issuance of an appropriate writ/s, order/s, Direction/s to the appropriate respondents to restore the PDS license of the petitioner bearing BIR-09/2016 after setting aside the memo no. 410



dated 18.11.2019 issued by respondent no. 4 and direct the respondents to issue the Food Grains to the petitioner.

iii. To pass such other order/orders as your Lordships may deem fit and proper in the facts and circumstances of this case.”

1. Learned counsel for the petitioner after advancing argument has sought permission to withdraw the present writ petition with a liberty to file statutory appeal before Appellate Authority.

2. Learned counsel appearing on behalf of the respondents has stated that the present writ petition is not maintainable as the petitioner has not availed the statutory remedy of appeal before the District Magistrate. Learned counsel has further stated that the petitioner may be directed to file an appeal taking all necessary grounds before the District Magistrate and the District Magistrate may be directed to pass orders on merits.

3. Having regard to the above made submissions, petitioner is permitted to withdraw the present writ petition with a liberty to file an appeal before Appellate Authority within a period of four weeks from today and on such appeal being filed the same shall be taken on record and necessary orders passed on merits. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing.



The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks thereof. Any orders passed shall be communicated to the parties.

4. With the above direction, the present writ petition stands withdrawn with the aforesaid liberty.

(A. Abhishek Reddy, J)

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