

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4013 of 2023

=====

Devendra Ram, Gender-Male, aged about 62 years, Son of Prasad Ram,
Resident of Village-Amahra, P.S.-Bihta District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Collector and District Magistrate, Patna.
3. The Sub-Divisional Officer, Danapur, District-Patna.
4. The Divisional Commissioner, Patna.

... .. Respondent/s

=====

Appearance :

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

=====

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

13 29-08-2024 Heard learned counsel for the parties.

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

(i) For quashing and setting aside the order passed by the Sub-Divisional Officer, Danapur vide Memo No. 119 dated 25.01.2019 whereby and whereunder license of the petitioner's Fair Price Shop bearing license No. 02/18 has been cancelled contained in Annexure-1 and quashing and setting aside the order dated 15.12.2021 passed by the learned Collector and District Magistrate, Patna in E.C. Appeal Case No. 37/2020-21 whereby and whereunder appeal filed by the petitioner against the cancellation order has been rejected contained in Annexure-6 (Series).

(ii) A mandamus commanding the Respondents to restore the petitioner's licence as before and to make allotment for the petitioner's



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.

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 of to the extent indicated above.

(A. Abhishek Reddy, J.)

shakir/-

U			
---	--	--	--

