

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5639 of 2024

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Chaman Lal Sah Son of Dayamuni Sah P.D.S. Dealer License No. 53
TR/2008, Panchayat Chilhania, Block- Terhagachh, Sub-Division-
Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Kishanganj, District- Kishanganj.
3. The Sub-Divisional Officer, Kishanganj, District- Kishanganj.
4. The Marketing Officer, Block- Terhagachh, District- Kishanganj.
5. The District Panchayati Raj Officer, Kishanganj, District- Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate
For the Respondent/s : Mr. Standing Counsel 07

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

3 23-09-2024 Heard the learned counsels for the parties.

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

*“.....for issuance of appropriate writ/writs,
order/orders, direction/directions to command the
respondents because on 13.08.2014 one Sri Satya
Narayan Mandal, the District Panchayati Raj Officer,
Kishanganj was inspected the P.D.S. shop of petitioner
and statements of the beneficiaries of nutrient zone and
the statement given by the beneficiaries that food grain
and kerosene oil were not fully provided by the P.D.S.
licencee holder and Distribution register were not
maintained and cash memo were not issued to the
beneficiaries which is violation of the direction of
Government and by letter No.798/अनु०आ० dated
22.09.2014 was issued to the petitioner and directed to*



submit show cause on 30.09.2014 at 3.00 P.M. from December 2013 to August 2014 alongwith the details of storage/distribution and cash memo of the P.D.S. Dealer Licence No.53TR/2007 and only on the report of District Panchayati Raj Officer the licence No.53 TR/2007 of the petitioner was cancelled by order dated 15.11.2014 vide letter No.959 by the Sub- Divisional Officer, Kishanganj and thereafter the petitioner submitted an Appeal No.27/2015 on 15.12.2014 before the learned District Magistrate Kishanganj and same was dismissed on 08.08.2017 by the learned District Magistrate, Kishanganj. Hence for quashing of the order dated 15.11.2014 issued by the learned Officer, Kishanganj vide letter No.959 and order dated 08.08.2017 issued by the District Magistrate and Collector-cum-Appellate Officer, Kishanganj and both the orders are not sustainable in the eye of law and fit to be quashed.”

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 of.

(A. Abhishek Reddy , J)

Ankit Kumar/-

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