

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7887 of 2024

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Suresh Prasad Yadav Son of Jagdev Ray Resident of village- Yakopur
Nagwan, P.s.- Janipur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Divisional Commissioner Patna Division, Patna
3. The Collector and District Magistrate, Patna
4. The Licensing Authority-Cum-sub-Divisional Officer Patna Sadar, District-Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Labh
For the Respondent/s : Mr.Addl. Advocate General 5

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

5 23-10-2024 Heard the learned counsels for the parties.

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

“A. For quashing and setting aside the order passed by the Licensing Authority-Cum-Sub-Divisional Officer, Patna Sadar issued vide Memo No. 399 dated 19/5/2022 whereby and where under license of the petitioner’s Fair Price Shop bearing license No. 12/16 has been cancelled with immediate effect contained in Annexure-1 and quashing and setting aside the order dated 22/12/2023 passed by the learned Collector and District Magistrate, Patna in E.C. Appeal No. 08/2023-14 contained in Annexure-5 whereby and where under appeal filed by the petitioner against the cancellation order has been rejected.

B. A mandamus commanding the Respondents to restore the petitioner’s license as before and to make allotment for the petitioner’s shop.



C. Any other relief or reliefs for which petitioner may be found entitled in the fact and circumstances of the present case may be granted to him.”

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)

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