

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7822 of 2024

=====

Bibi Kismati, Wife of Ismail, Resident of Village- Gaiyari, P.S.- Araria,
District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Food and Consumer Protection Department, the Government of Bihar, Patna.
2. The Collector, Araria.
3. The Sub-Divisional Officer, Araria.
4. The District Supply Officer, Araria.
5. The Block Supply Officer Araria.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Adv.
For the Respondent/s : Mr. Government Advocate (11)

=====

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

2 04-09-2024 Heard the learned counsels for the parties.

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

*“1. That, this writ application is
being filed for issuance of an appropriate writ/
writs, order or orders in the nature of certiorari
for quashing of the original order bearing
Memo No. 141/Aa dated 04. 10. 2007 issued
under the signature of Licensing Officer Cum
Sub Divisional Officer, Araria respondent No. 3
and as much as the appellate order dated 12.02.
2008 passed in Appeal No. 261/2007-08 passed
by the District Magistrate cum Collector, Araria
by which the licence of fair price shop of the
petitioner bearing Licence No. 34A /07 for*



Gram Panchayat Gaiyari has been cancelled with immediate effect and as much as the appeal so preferred against the same has been dismissed by the appellate authority by order dated 12.02.2008 passed by the appellate authority as stated above without giving sufficient and reasonable opportunity of being heard and as much as without considering the documents as appended and supplied in the memo of appeal as much as at the time of hearing of the said appeal and further for issuance of an appropriate writ in the nature of mandamus for directing and commanding the respondents to allow the petitioner to run the fair price shop in pursuance to the aforesaid Licence No. 34A/07 for Gram Panchayat Gaiyari District Araria for the ends of justice and equity and further for any other appropriate relief or reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

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 off.

(A. Abhishek Reddy , J)

Gauravkr/-

U			
---	--	--	--

