

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14198 of 2022

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Deo Chandra Roy Son of Jaynandan Ray, Resident of Village Bishaul, Ward
No. 04, P.O. Sukhet, P.S. Jhanjharpur, District Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner,
Department of Food and Consumer Protection, Government of Bihar .
2. The District Magistrate-cum-Collector, Madhubani.
3. The Sub-Divisional Officer-cum-Licensing Authority, Jhanjharpur, District-
Madhubani.
4. The Block Supply Officer, Jhanjharpur, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arjun Kumar, Advocate
For the Respondent/s : Mr.S. Raza Ahmad (AAG 5)

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

7 23-04-2024 Heard the learned counsels for the parties.

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

“(i)for quashing the order dated
02.08.2022 passed in Supply Appeal Case No.
55/2021-22, Dev Chandra Roy Vs. The State
passed by the District Magistrate-cum-Collector,
Madhubani and the order vide Memo No. 305
dated 24.08.2021 passed and issued by the
Respondent No. 3 (S.D.O. Jhanjharpur) whereby
and whereunder the license of the petitioner
under the Bihar Targeted Public Distribution
System (Control) Order, 2016 has been cancelled
as this order cancelling the license of the



petitioner is only for harassing the petitioner and totally against the mandate of law as the petitioner has not been supplied the inspection report in proper form;

(ii) For issuance of writ in the nature of mandamus directing the respondents to restore the allotment of the trade articles pursuant to the quashing of the aforesaid orders passed by the Respondent No. 2 and 3, the District Magistrate-cum-Collector, Madhubani and the Sub-Divisional Officer, Jhanjharpur respectively;

(iii) For the grant of relief in the nature of declaration that the petitioner having not violated any of the terms and conditions of the license issued in the name of petitioner or any of the provisions of Bihar Targeted Public Distribution System (Control) Order, 2016 could not be proceeded against for cancellation of license by the Respondents on the reasons given in the show cause notice and especially on the reason that the order canceling the license of the petitioner cannot be sustained as it is totally in violation of the provisions of the Control Order, 2016.”

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 complaint/revision, the Divisional Commissioner shall pass necessary orders strictly in accordance with law within a period of eight 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. Any order passed shall be communicated to the parties.

4. With the above said directions, the writ petition stand disposed off.

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(A. Abhishek Reddy , J)

