

## Miscellaneous Jurisdiction Case No.2953 of 2023

**Criminal Writ Jurisdiction Case No.1165 of 2021**

Amanatullah Khan @ Amanullah Khan Son of Mustaqim Khan, resident of House No. B- 40/1, Anjal Tower, 3rd Floor, Thoker No. 7, Abul Fazal Enclave Jamia Nagar South Delhi, P.S. New Friends Colony, District South Delhi, Delhi - 110025.

Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection Bihar Patna.
2. The Secretary, Department of Food and Consumer Protection, Bihar, Patna.
3. The Deputy Secretary, Department of Food and Consumer Protection, Bihar, Patna.
4. The Divisional Commissioner, Saran, Chapra, Bihar.
5. The District Magistrate, Saran a Chapra.
6. The Senior Superintendent of Police, Vigilance, Patna, Bihar.
7. The Deputy Superintendent of Police, Vigilance, Investigation Bureau, Patna, Bihar.
8. The S.H.O., Vigilance Police Station, Bihar, Patna.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                      |
|--------------------------|---|--------------------------------------|
| For the Petitioner/s     | : | Mr.Alok Ranjan, Advocate             |
| For the Opposite Party/s | : | Mr.Arvind Ujjwal (SC 4)              |
|                          | : | Mr. Upendra Pratap Singh, AC to SC 4 |
|                          | : | Mr. Sushil Kr. Mallick, AC to SC 4   |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      02-02-2024      1.                      Heard learned counsel for the parties concerned.

2.                      The present petition has been filed for restoration of a criminal writ petition bearing Cr.W.J.C. no. 1165 of 2021, which has stood dismissed on account of non compliance of the peremptory order dated 24.07.2023.

3.                      Learned counsel for the petitioner submits that the



peremptory order dated 24.07.2023 has not been complied within the stipulated time frame due to non-availability of required annexures, hence, a sympathetic view may be taken and the aforesaid writ application be restored to its original file.

4. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the averments made in the present petition, I deem it fit and appropriate to restore the aforesaid writ petition bearing Cr.W.J.C. no. 1165 of 2021 to its original file, subject to removal of defects by the petitioner, within a period of two weeks from today.

5. The present petition stands allowed.

**(Anil Kumar Sinha, J)**

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