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Misc. Case No.13158 of 2017

Learned counsel for the petitioners and learned counsel for the State.
The grievance of the petitioner is that the licensing authorities have not renewed his license for the retailership of the P.D.S. materials, despite his entitlement simply basing on a report of the Block Development Officer, Khurda Sub-division the shop of the petitioner situated within 2 K.M. from the concerned Grama Panchayat. It is submitted further that there is no such statutory stipulation fixing the distance limit for granting license to the retailers.

It is submitted on behalf of the State placing the counter-affidavit that the petitioner had not made any application in due time as required. Secondly, as per Government guidelines, the private retailers should be substituted by the institutions and thirdly, the petitioner has as an appellate forum for redressal of his grievance of non-renewal of license.

It is submitted on behalf of the petitioner that the concerned authorities have neither passed any order nor have given him any intimation as to the non-issuance of license for which the petitioner is not in a position to approach the appellate forum.

Considering the submissions, the circumstances and the materials placed before the Court, the writ petition is disposed of with a direction that on production of certified copy of this order along with a fresh application before the Sub-collector (Khurda-opposite party no.4) the concerned authority shall intimate in writing to the petitioner as to whether his license shall be renewed and if not, the reason there for within a fortnight thereafter.

The writ application along with the Misc. Case is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

J.P. Das, J.

JB