

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 4791 of 2019**

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Hare Krishna Yadav, Gender- Male Aged about 63 years, Son of Late Yadu Yadav, Resident of Village- Koriya, P.S.- Chandan, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Collector, Banka, District- Banka.
3. The Sub-Divisional Officer, Banka, District- Banka.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s	:	Mr. Rajeev Kumar Labh, Advocate
For the State	:	Mr. Upendra Pratap Singh, AC to SC 4

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 30-05-2019**

Heard learned counsel for the petitioner and learned AC to SC 4 for the State.

2. The petitioner has moved the Court for the following reliefs:

*“That this writ application is being filed for issuance of appropriate writ/order/direction for disposal of Appeal filed by the petitioner against the cancellation of P.D.S. license order before the learned Collector, Banka vide P.D.S. licence Appeal No. 6/18-19 which is still pending beyond the statutory period and further may direct the respondents to not issue any new license in place of the petitioner till disposal of appeal.”*

3. The petitioner being a dealer of P.D.S. shop, upon his licence being cancelled by order dated 17.04.2018 preferred appeal



before the respondent no. 2 under Rule 32 (iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 (hereinafter referred to as the 'Control Order, 2016') on 19.05.2018 being Licence Appeal No. 6 of 2018-19.

4. Learned counsel for the petitioner submitted that the said appeal is pending till date which has caused prejudice to the petitioner. It was also submitted that the Control Order, 2016 requires the appeal to be disposed off within sixty days.

5. Learned counsel for the State submitted that if the appeal is still pending, the same shall be disposed off expeditiously.

6. Having considered the matter, the writ petition stands disposed off with a direction to the respondent no. 2 to ensure that if Licence Appeal No. 6 of 2018-19 is still pending before him, the same is disposed off expeditiously and latest within a period of six weeks from the date of production of a copy of this order before him after giving opportunity of hearing to the petitioner.

**(Ahsanuddin Amanullah, J.)**

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