

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2476 of 2014**

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Mundrika Prasad, S/o Late Lal Kishun Singh, Resident of Mohalla- Fathua  
Nagar Panchayat, P.S- Fathwa, District- Patna.

.... .... Petitioner.

Versus

1. The State of Bihar through the District Magistrate, Patna,  
2. The S.D.O. Patna City.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate  
: Mr. Vijay Anand, Advocate  
For the Respondent/s : Mr. Kuber Pathak, AC to SC-14

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA  
PRATAP SINGH**  
**ORAL ORDER**

2 10-09-2015

Heard learned counsel for the petitioner and the State.

The license of the petitioner has been cancelled on  
the ground that the shop has been closed on 28.12.2013 and on  
one previous occasion as well.

The petitioner submits that he had taken his son for  
treatment and as such the shop remained closed at the relevant  
time. The petitioner in support of his submission has annexed the  
necessary prescriptions and the other receipts with respect to  
purchase of medicines.

The explanation offered by the petitioner for keeping  
the shop closed cannot be said to be unreasonable. In the result,  
the impugned order cancelling the P.D.S. license of the petitioner  
is set aside. However, it will be open for the licensing authority to

take appropriate action against the petitioner, if the petitioner is again found in any manner involved with respect to distribution of items under the license.

This application stands disposed of.

**(Samarendra Pratap Singh, J.)**

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