

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13318 of 2014

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Saryug Yadav @ Saryu Yadav

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Respondent/s : Mr. Sc29- R.R.K. Pandey

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 28-09-2015

The petitioner seeks quashing of the order dated 17.5.2014, by which his PDS licence No. 18/2007 has been cancelled in view of institution of FIR bearing Chandauti Police station Case No. 397 of 2013 under section 7 of the EC Act. Further no show cause was issued to him before passing the order.

Learned counsel for the petitioner submits that after 23.6.2011 amendments, a license cannot be cancelled on the ground of institution of FIR.

Plea of the petitioner is well covered by several decisions of this Court. In the result, the impugned order cancelling petitioner's license is set aside with liberty to the respondents to proceed afresh.

There would be no resumption of supply till final order is passed.

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(Samarendra Pratap Singh, J)