

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13894 of 2013

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NARAYAN BHAGAT, SON OF LATE PUHUPAL BHAGAT, RESIDENT OF
VILLAGE POST OFFICE AND POLICE STATION GAMHARIYA, DISTRICT
MADHEPURA Petitioner

Versus

The State of Bihar & Ors Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

2 07-09-2015 The petitioner prays for quashing order dated
10.8.2010, passed by the SDO, Madhepura cancelling his PDS
licence NO.124/2007, as well as appellate order dated
21.11.2011, by which the same has been affirmed.

Petitioner's licence was cancelled on the allegation that
(1) he kept the shop open till 4 PM, whereas Government
direction was to close it at 1 PM. (2) he kept son of one of the
suspended PDS dealer at his shop to facilitate black marketing
(3) the stock display register of that date was incomplete and
(4) one of the consumers complained that he supplied the
commodities in lesser quantity.

Petitioner submits that he was receiving short supply of
materials from the Government agencies, which fact had been
written by him to the Collector and other officials, who had
also acted upon the same.

I find that the petitioner has committed irregularities but those are of trivial nature, so as not to attract the ultimate punishment of cancellation of license. No instance of black marketing has been cited. In the circumstances, the writ petition succeeds, the impugned orders are set aside with a warning to the petitioner to be careful in future.

(Samarendra Pratap Singh, J)

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