

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12407 of 2013

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Sikandar, Son of Ram Chandra Singh, Resident of Village Rupaich Tola,
Gehuan Bigha, P.S.- Mehandiya, District- Arwal.

.... Petitioner.

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Food and Civil Supplies, Bihar,
Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Arwal.
5. The Sub-Divisional Officer, Arwal.
6. The Block Supply Officer, Kaler, Arwal.

.... Respondents

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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

ORAL ORDER

3 28-08-2015

Heard learned counsel for the petitioner and the State.

The petitioner holds license bearing license no.06 of
2000 under the P.D.S. system within Arwal Block.

I find that the licensing authority vide his order dated
01.10.2011 cancelled the license of the petitioner substantially on
the ground of pendency of a criminal case under Section 7 of the
Essential Commodities Act.

After amendment in Clause 7 of 2007 Control
Orders, a license cannot be cancelled on mere pendency of a
criminal case.

In the result, the impugned orders are not sustainable
in law and are set aside. The matter is remitted to the licensing

authority, Arwal to proceed afresh in accordance with law.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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