

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1897 of 2013

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Dayanand Prasad, S/O Late Misari Prasad, R/O Saidpur,
P.S.- Kadamkuan, Distt.- Patna

.... Petitioner

Versus

1. The State of Bihar through the Secretary Food & Civil Supply Deptt., Govt. of Bihar, Patna
2. The Joint Secretary Food and Consumer Protection Department, Government of Bihar, Patna
3. The Officer on Special Duty, Food & Consumer Protection Department, Government of Bihar, Patna
4. The Special Officer, Rationing, Patna

.... Respondents

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Appearance :

For the Petitioner/s :	Mr. N. K. Agrawal, Sr. Adv. Mr. D.N. Tiwari, Adv.
For the State :	Mr. Raju Giri- G.P.-30 Mr. Nikhil Kr. Agrawal, A.C. to G.P.-30

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 06-08-2015

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is the Public Distribution
System Dealer in the district of Patna. His licence was
earlier suspended by Special Officer, Rationing, Patna.

Learned counsel for the petitioner submits
that the Special Officer, Rationing, Patna did not have
jurisdiction to cancel the license as in view of 2006

amendment to the Control Orders, S.D.O, Special Officer Incharge, appointed by the competent authority can cancel the Public Distribution System Dealer's license. He submits that similar issue was earlier decided vide order dated 14.02.2014 passed in C.W.J.C. No. 13973 of 2012 by which impugned order, cancelling the license has been set aside.

The application is accordingly disposed of.

(Samarendra Pratap Singh, J.)

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