

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16940 of 2013

- =====
1. Raza Ram Sahu, son of Late Ramshwarup Sah, resident of Village- Bhairson, P.O.- Kyothar Bisanpur, P.S.- Singhiya, District- Samastipur
 2. Lalo Yadav @ Lalu Yadav, Son of Late Jagdeep Yadav, resident of Village- Behat, P.O.- Mangalgarh, P.S.- Singhiya, District- Samastipur
- Petitioners

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Old Secretariat, Patna
 2. The Sub-Divisional Officer, Rosara, District- Samastipur
 3. The Chairman, District Selection Committee-Com-Collector, Samastipur, District- Samastipur
 4. The District Supply Officer, Samastipur, District- Samastipur
- Respondents
- =====

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 22-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are aggrieved by Memo No.636, dated 16.05.2013, by which the District Selection Committee-cum-Collector, Samastipur has rejected the petitioners' application for issuance of license.

It would appear from the impugned order that the refusal of license is on the ground that Clause 3 of the amended 2011 Order prohibits issuance of license to individuals. As per the amended provisions, the license can be issued only in favour of PACCS, Co-operative Society, Ex-Army Co-operative Society,

Consumer Society store and Woman Co-operative Society..

I find that the Clause-3 of 2011 Amendment has been set aside by order dated 20.12.2013 passed by a Division Bench of this Court in C.W.J.C. No. 15157 of 2011 heard analogous with other cases.

The writ application is fully covered under the aforesaid order. In the circumstances, the impugned order is set aside. Let the case of the petitioners be considered in accordance with law.

This application stands allowed to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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