

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25164 of 2013

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Gangajali Devi, wife of Samodhi Rai, resident of Village + P.O-
Baburbandh, Police Station- Parihar, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector- Cum- District Magistrate, Sitamarhi.
4. The District Supply Officer, Sitamarhi.
5. The Sub- Divisional Officer, Sitamarhi.
6. The Block Development Officer, Parihar, Sitamarhi.
7. The Block Supply Officer, Parihar, Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal, Advocate
: Mr. Arun Kumar Singh, Advocate
For the Respondent/s : Mr. Mahboob Ashraf, AC to SC-27

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

4 28-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is a licensee, bearing license no.2/98,
under Public Distribution System.

The petitioner seeks quashing of the order dated
26.11.2002, passed by the licensing authority, by which her P.D.S.
license has been suspended and then cancelled by the Sub-
Divisional Officer on 20.05.2003. The appeal filed by the
petitioner was rejected by the appellate authority, on 09.06.2005,
and the revision application has also been dismissed by the
revisional authority, by order dated 19.08.2013.

I find that the petitioner has been inflicted both

suspension and cancellation of license, which are exclusive to each other and not permissible under the law as held by a Division bench in case of Shiv Chandra Jha Vs. Harideo Jha, reported in 2013(3) PLJR 956.

In the result, this writ application is allowed. The impugned orders cancelling the license, affirmed in appeal and revision, are set aside.

(Samarendra Pratap Singh, J.)

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