

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6597 of 2014

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Sonelal Rai, S/O Sitaram Rai, Resident of Mohalla - Aadam Chapra, P.S.
Ahiyapur, P.O. Mirzapur, District - Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Food and Civil Supply, Government of Bihar, Patna
2. The District Magistrate, Muzaffarpur
3. The Sub - Divisional Officer, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate

: Mr. Anujit Sinha, Advocate

For the Respondent/s : Ms. Divya Verma, AC to AAG3

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

2 05-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner was holder of P.D.S. license. His P.D.S. license was earlier suspended on 06.10.2006 and thereafter cancelled on 13.06.2008. The appeal filed against the order of cancellation was affirmed on 28.06.2013 by the District Magistrate, Muzaffarpur.

The petitioner submits that under 2011 Control Order, the punishment of suspension and thereafter cancellation is not permissible in the light of Division Bench order in case of Shiv Chandra Jha Vs. Harideo Jha, reported in 2013 (3) PLJR 956.

I find substance in the submission of the petitioner.

The writ application is allowed and the impugned

orders are set aside.

Uday/-

(Samarendra Pratap Singh, J.)

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