

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5046 of 2013

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Shashi Bhushan Prasad Yadav, son of Bishnudeo Prasad Yadav, resident of village- Bishunpur Pandey Panchayat Bara Bharti, P.S.- Minapur, Distt. Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar represented through Secretary Department and Consumer Protection, Bihar, Patna
2. The Collector, Muzaffarpur
3. The District Supplies Officer, Muzaffarpur
4. The Sub Divisional Officer, East, Muzaffarpur
5. The Additional District Supplies Officers, East, Muzaffarpur
6. The Block Development Officer, Minapur, Muzaffarpur
7. The Labour Enforcement Officer, Minapur, Muzaffarpur

.... 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

4 17-08-2015 Heard learned counsel for the petitioner and the respondents.

2. The petitioner is a licensee bearing license no. 4 of 1994 under Public Distribution System Scheme in Meenapur Block within the district of Muzaffarpur.

3. It appears from the pleadings that initially the license of the petitioner was suspended and thereafter cancelled on 08.05.2008.

4. As per 2007 Control Orders, both cancellation of license and suspension forms alternative punishments and only one of such punishment can be inflicted. It has been held by this

Court that both the punishments cannot be subscribed.

5. In this view of the matter, the impugned order of suspension as well as cancellation of license are set aside with liberty to respondents to proceed afresh in accordance with law.

6. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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