

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18136 of 2013

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Sakaldeep Manjhi Son Of Late Phaguni Manjhi Resident Of Village-
Dhuparchak, P.O.- Alampur Gonpura, P.S.- Phulwarisharif, District- Patna
..... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Food And Consumer
Protection Department, Old Secretariat, Patna
 2. The District Magistrate And Collector, Patna, District- Patna
 3. The Licensing Authority-Cum-Sub-Divisional Officer, Sadar Patna,
District- Patna Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr.

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

2 17-09-2015 The petitioner is a PDS dealer bearing Licence no. 78 of
2007 within Patna Sadar. He seeks setting aside order dated
12.9.2011, passed by respondent no.3 as well as appellate order
dated 23.7.2013, passed by respondent no.2 cancelling his PDS
licence.

From the show cause notice, two allegations are appearing
against the petitioner. Firstly, he had employed one Papu Kumar
for distribution of PDS commodities. Secondly, he supplied
2.500 liter K.oil in place of 2.750 liters to the consumers.

The petitioner submits that measurement of 0.250 liter
becomes difficult, so with consent of local Mukhia, he
distributed 2.500 liter and 3 liter K.oil alternatively to the
consumers.

In the facts and circumstance of the case, I do not find any deliberate design of the petitioner in making short supply of PDS commodities to the consumers. The writ petition succeeds and the impugned orders are set aside.

(Samarendra Pratap Singh, J)

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