

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18322 of 2013

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1. Rajendra Ram Son Of Late Bathu Ram Resident Of Village - Ram Nagar
 Bazar Kumar Khand Madhepura

.... Petitioner/s

Versus

1. The State Of Bihar
 2. The Commissioner, Saharsa
 3. The District Magistrate, Madhepura
 4. The Sub - Divisional Officer, Udakishunganj, Madhepura
 5. The District Supply Officer, Madhepura
 6. The Block Supply Officer Kumarkhand Madhepura
 7. The District Manager Bihar State Food Corporation Of India Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra
 For the Respondent/s : Mr. Kumari Amrita

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

4 21-09-2015 The petitioner is a PDS dealer holding licence no.02/2011
 within Kumar Khand Block in the district of Madhepura.

The petitioner submits that the main allegation against him
 that he failed to supply the required quantity of Kerosene oil to six
 of its consumers. The petitioner states that even assuming the case
 of the State to be true, the total short fall of Kerosene oil is of only
 16 liters. He further submits that he has already been punished
 sufficiently as his licence was cancelled in July, 2010. He submits
 that the short fall of Kerosene oil occasioned as he could not lift
 sufficient quantity of Kerosene oil.

Having regard to the facts and circumstances of the case,

the impugned order cancelling his licence which was affirmed in appeal and revision are set aside. The restoration of licence would be subject to any third party right created in the meanwhile.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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