

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15588 of 2013

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Md. Aslam, S/O Late Fazlu Rahman of Nakchhed Tola, P.S- Motihari
Town, Distt- East Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran.
4. The District Supply Officer, East Champaran.
5. The Sub Divisional Officer, Sadar, Motihari, Distt- East Champaran.
6. The Sub Divisional Supply Officer, Sadar, Motihari, Distt- East Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Respondent/s : Mr. Girija Shankar Pd

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

5 06-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner is a Thela vendor under Bihar Trade Articles (Licenses Unification) Order, 1984. He got license for selling Kerosene oil.

It appears that the license of the petitioner was cancelled on 24.08.2011 by Sub Divisional Officer, Motihari Sadar on the ground that he did not lift the Kerosene Oil for a month. The appeal filed by the petitioner, bearing Supply Appeal No. 23 of 2012, was also dismissed.

The petitioner submits that he could not lift the Kerosene Oil for the Month of July, 2011, as his son was ill.

I find that the petitioner has furnished satisfactory explanation for not lifting the Kerosene Oil.

In the result, this writ application succeeds. The impugned orders cancelling the license and affirmed in appeal are set aside. The respondents would resume the supply of the Kerosene Oil.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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