

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21562 of 2013

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1. Uma Gupta W/O Surendra Prasad Resident Of Village- Bokane Kala,
P.S- Patahi, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Department Of Food With
Civil Supplies, Govt. Of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The District Supply Officer, East Champaran, Motihari.
4. The Sub- Divisional Officer, Pakridayal, East Champaran, Motihari.
5. The Block Supply Officer, Patahi, Pakridayal, East Champaran, Motihari.
6. The Special Officer, Supply, Govt. Of Bihar, Patna.
7. The Additional Secretary, Food and Civil Supply, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Advocate
Ms Payal Kashyap, Advocate
Mr. Rakesh Kumar, Advocate

For the Respondent/s : Mr. SC 10

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

3 29-10-2015 The petitioner holds PDS licence under Patahi Block in the
district of East Champaran. His licence was suspended on
28.12.2010 in view of the institution of criminal case. Being
aggrieved, the petitioner earlier moved this Court in C.W.J.C.
No.23539 of 2012. The writ petition was disposed of with liberty
to the petitioner to file representation before the S.D.O.,
Pakridayal, who would dispose of the same by a reasoned order.
The petitioner thereafter filed his representation.

Counsel for the State submits that the representation of the

petitioner has been rejected on 8.7.2013. In support of his submission, he refers to paragraph 8 of the counter affidavit.

The petitioner submits that in similar circumstances the respondents have lifted the suspension order of one Manohar Sah.

In my view if in similar circumstances the suspension order of another licensee was revoked, it is not understandable as to why the suspension order of the petitioner has not been revoked. It appears that prior to 2011 amendment the PDS licence could be put under suspension during the pendency of the criminal case. However, it could be unreasonable to keep the licence under suspension for an indefinite period on the ground of pendency of a criminal case. If the criminal case is not disposed of within four months from the date of receipt/production of a copy of this order, the license of the petitioner would stand automatically revoked.

With the aforesaid observations and directions, this writ application stands disposed of.

(Samarendra Pratap Singh, J)

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