

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2536 of 2015

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Viveka Nand Rai Son of Khudi Prasad @Bindeshwari Prasad Rai resident
of Mohalla- Chandi Sthan Vasudevpur P.S- Kotwali District- Munger
..... Petitioner

Versus

1. The State of Bihar
 2. The District Magistrate , Munger.
 3. The Sub Divisional Officer, Sub-Divisional -Sadar, District- Munger.
 4. The Block Supply Officer Block - Sadar, District - Munger
- Respondents
- =====

Appearance :

For the Petitioner/s : Sushmita Mishra, Advocate
For the Respondent/s : Mr. R.R. K Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 08-10-2015 Heard learned counsel for the petitioner and the State.

Petitioner submits that his PDS licence has been suspended pending Kotwali Police station Case No. 366 of 2009 under 7 EC Act against him, without issuing him show cause, which is in violation of Clause 7.4 of the 2004 orders. Petitioner refers to order dated 1.2.2013, passed in C.W.J.C.No. 5080 of 2012.

In my view, a PDS licence cannot be kept suspended indefinitely pending criminal case. In the instant case, licence has remained suspended for over six years. In the result, the impugned order is set aside.

The writ petition is thus allowed

Shashi.

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(Samarendra Pratap Singh, J)