

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3094 of 2015

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Surendra Kumar Jyoti S/o Late Ganga Prasad Paswan, resident of Village-Dhamuara, panchayat-Dhamsain, P.S.- Bahera, Block-Alinagar, District-Darbhangha. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies, Government of Bihar, Patna.
 2. The District Magistrate, Darbhanga.
 3. The Sub-Divisional Officer, Benipur, Darbhanga. Respondents
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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate
For the Respondent/s : Mr. Uday Shankar Sharan Singh- Gp1

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 07-09-2015 The petitioner prays for quashing order dated 11.2.2013, passed by respondent no.3 as well as appellate order dated 16.1.2015, passed by respondent no.2, whereby petitioner's PDS Lincene no.5/98 has been cancelled on the ground that he did not deposit the bank draft in time for lifting food grains under various schemes.

The petitioner submits that these days one need not deposit the money through bank draft, as the required money is transferred to the agency itself through the electronic transfer. The petitioner has referred to statements got from Bank, contained in Annexure 3. For the month of February, the transaction dated 26.3.2012 for Rs.3542/- was wrongly got transferred in the account of Hydel Project, Ranchi due to

bank's fault, which amount is again re-routed to the correct account.

I find that the petitioner has in fact not defaulted in depositing money for the relevant period mentioned in the show cause notice.

The writ petition is allowed and the impugned orders are set aside.

(Samarendra Pratap Singh, J)

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