

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19592 of 2013

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Basudeo Mandal Son Of Late Ram Kishore Mandal Resident Of Village-
Khulha Rajai, P.S. Sri Nagar, District-Madhepura Petitioner/s
Versus

1. The State Of Bihar Through The Secretary, Food And Civil Supply
Department, Old Secretariat, Patna
2. The Secretariat, Food And Civil Supply Department, Old Secretariat,
Patna
3. The District Magistrate, Madhepura
4. The Sub-Divisional Magistrate, Madhepura
5. The District Supply Officer, Madhepura
6. The Assistant District Supply Officer, Madhepura
7. The Block Supply Officer, Madhepura
8. Block Supply Officer, Kumarkhand, District- Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma
For the Respondent/s : Mr. Pawan Kr. Mishra

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 29-09-2015 The petitioner seeks quashing of the order dated
12.7.2010, by which his PDS licence no. 179 of 2007 has been
suspended by respondent no.4 in view of institution of Sri
Nagar Police station Case No. 35 of 2010 under section 7 of the
EC Act on 2.7.2010.

Learned counsel for the petitioner submits that after
23.6.2011 amendments, a license cannot be suspended for
indefinite on the ground of pendency of a criminal case, as it
would be the responsibility of the State to take the criminal
prosecution to its logical conclusion within a reasonable time.

The submission of the petitioner has substance. A

criminal case ought not to linger indefinitely. As such, if the criminal case is not disposed of within a period of three months from the date of receipt of copy of the order, suspension of petitioner’s licence would automatically vacated.

The writ petition is thus allowed to the extent indicated.

(Samarendra Pratap Singh, J)

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