

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14826 of 2015

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Arjun Paswan Son of Late Biltu Paswan, Resident of Village- Daudpur,
Post- Barara, P.S.- Nursarai, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna
2. The District Magistrate, Nalanda, District- Nalanda
3. The Sub-Divisional Officer, Biharsharif, District- Nalanda
4. The Block Supply Officer, Nurasarai, District- Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate

For the Respondent/s : Mr. Ga9- Anil Kumar Sinha.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 09-10-2015 The petitioner seeks quashing of the order dated 9.5.2005 by which his PDS licence no.4/2001 has been suspended and cancelled in view of institution of FIR, bearing Nursarai Police station Case No. 107 of 2006.

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

I am of the view that the Licensing authority erred in awarding both punishment of cancellation and suspension of licence. In the result, the impugned order suspending petitioner's license as

well as order of cancellation are set aside with liberty to the respondents to proceed afresh.

Shashi.

(Samarendra Pratap Singh, J)

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