

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3800 of 2014

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Raj Kumar Prasad Son Of Shri Feku Bhagat Resident Of Village -
Kenarchatty, Police Station - Wazirganj, District - Gaya Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary Department of
Food And Consumers Protection, Government Of Bihar, Patna
 2. The Sub - Divisional Officer, Sadar Gaya, District - Gaya
 3. The Block Supply Officer, Wazirganj, Distt. - Gaya ... Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. Yogendra Pd. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 28-09-2015 The petitioner seeks quashing of the order dated
22.9.2012, by which his PDS licence No. 46/2007 has been
cancelled in view of institution of FIR bearing Wazirganj Police
station Case No. 173 of 2012 under section 7 of the EC Act.
Further no show cause was issued to him before passing of the
order.

Learned counsel for the petitioner submits that after
23.6.2011 amendments, a license cannot be cancelled on the
ground of institution of FIR.

Plea of the petitioner is well covered by several
decisions of this Court. In the result, the impugned order
cancelling petitioner's license is set aside with liberty to the
respondents to proceed afresh.

There would be no resumption of supply till final order
is passed.

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(Samarendra Pratap Singh, J)