

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13422 of 2013

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1. Bal Kishun Ram Son Of Late Sankatha Ram Resident Of Village -
 Kundi, Police Station - Chand, District - Kaimur At Bhabhua

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Patna
 2. The Collector Cum District Magistrate Cum Kaimur At Bhabhua
 3. The Sub-Divisional Officer, Bhabhua
 4. The District Supply Officer, Bhabhua

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate
 Mr. Birendra Kumar Singh, Advocate

For the Respondent/s : Mr. AC to AAG 7

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
 PRATAP SINGH**

ORAL ORDER

3 07-09-2015 Heard learned counsel for the petitioner and the State.

The license of the petitioner has been cancelled substantially by order dated 3.3.2012 passed by the Sub Divisional Officer, Bhabua on the ground of pendency of criminal case. The order was also affirmed in appeal vide order dated 4.6.2013 passed by the learned Collector, Kaimur in Supply Appeal Case No.05 of 2012-13.

Learned counsel for the petitioner submits that after deletion of clause 7(3) of PDS Control Order, 2007 a license cannot be cancelled merely due to pendency of criminal proceeding.

Having regard to the facts and circumstances of the case,

the impugned orders are set aside and this writ application is allowed. However, it would be open for the licensing authority to proceed afresh against the petitioner after affording show cause notice to him.

(Samarendra Pratap Singh, J)

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