

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16207 of 2013

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Chandeshwar Rai Son Of Late Kishori Rai Resident Of Village -
Madhopur, P.S. Marhaura, District – Saran Petitioner/s

Versus

1. The State Of Bihar Through The Commissioner, Saran
 2. The Commissioner, Saran Division, Saran
 3. The Collector, Saran
 4. The Sub-Divisional Officer, Marhaura, Saran
 5. The Block Development Officer, Amnaur Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Respondent/s : Mr. Rajiv Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 10-09-2015 The petitioner challenges order of respondent no.4
dated 1.4.2010, cancelling his PDS License, appellate order
dated 28.2.2012 passed by respondent no.3 and revisional order
dated 13.2.2013 passed by respondent no.2.

The petitioner submits that the respondents have
awarded both punishment of suspension and cancellation of
license, which is not permissible in law in view of decision in
case of Shiv Chandra Jha Vs. Harideo Jha, reported in 2013(3)
PLJR 956.

As the submission of petitioner has substance, the
writ petition succeeds and the impugned orders are set aside
with liberty to the respondents to proceed in accordance with
law.

(Samarendra Pratap Singh, J)

Shashi.

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