

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22320 of 2014

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Sanjay Kumar Rajak, son of Late Nagendra Nath Rajak, resident of village -
Bada Raghunathpur, P.S. Amdabad, District - Katihar

.... Petitioner.

Versus

1. The State of Bihar
2. The District Magistrate, Katihar
3. The District Supply officer, Katihar
4. The Sub-Divisional Officer, Manihari, District - Katihar
5. The Senior Deputy Collector, District Legal Cell, Katihar
6. The Block Supply Officer, Amdabad, District - Katihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Respondent/s : Mr. Gp-9 D.B. Singh

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

2 21-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner, who is a P.D.S. dealer within
Amdabad Block in Katihar district.

As a criminal case was instituted against the
petitioner, show-cause noticed was issued. The petitioner did not
submit his reply to show-cause notice, the licensing authority
cancelled his P.D.S. license by order, dated 23.09.2013, on mere
pendency of a criminal case.

A license cannot be cancelled in view of pendency of
a criminal case as per 2007 Control Orders, as amended in the year
2011. The impugned order cancelling the P.D.S. license of the
petitioner is set aside and the matter is remitted to the licensing

authority to proceed afresh in accordance with law.

This writ application is allowed to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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