

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1179 of 2014

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Mithlesh Kumar Mandal Son Of Late Naresh Chandra Mandal P.D.S.,
Dealer North Karimullapur, Village- Chharamari, P.S.- Amdabad, District-
Katihar Petitioner

Versus

1. The State Of Bihar Through The Secretary, Food And Civil Supplies
Department, Old Secretariat, Patna
 2. The District Magistrate, Katihar
 3. The District Supply Officer, Katihar
 4. The Sub-Divisional Officer Manihari, Katihar
 5. The Block Supply Officer, Amrabad, Katihar Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Advocate

For the Respondent/s : Mr. Vivek Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

5 17-08-2015 The petitioner is a licensee under the PDS having

Licence no.01/2000 within North Karimullapur, Sub division
Manihari, district Katihar. His licence has been cancelled on the
ground that he did not deposit the money for lifting the items of
the month of January and February, 2013. The petitioner has
explained that he could not deposit the money as his mother was
ill. He submits that subsequently he has deposited the money in
April. He further submits that besides this, there is no allegation
against him.

I find that the explanation of the petitioner cannot be
said to be unreasonable. As such, the writ petition is allowed
and the impugned order cancelling petitioner's licence by the
SDO, Manihari and the order of the District Magistrate, Katihar

affirming the same are set aside, subject to any third party right
being created in the meantime.

(Samarendra Pratap Singh, J)

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