

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13158 of 2016

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Shiv Shankar Maharaj son of Shri Ramjee Maharaj resident of Village
Chakdumaria, P.O. Pira Khurd, P.S. Supaul, District- Supaul.

.... Petitioner

Versus

1. The State of Bihar Through Principal Secretary, Food & Civil Supply
Department, Bihar, Patna.
2. The Collector, Supaul.
3. The Sub Divisional Officer, Sub-Division Supply Office, Supaul.
4. The District Supply Officer, District Suplly Office, Supaul.
5. The Divisional Supply Officer, Divisional Supply Office, Supaul.
6. The Block Supply Officer, Supaul.
7. Nageshwar Maharaj son of Late Boku Maharaj resident of Village-
Chakdumaria, P.O.- Pipra Khurd, P.S. and District Supaul.

.... Respondents

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Appearance :

For the Petitioner : Mr. Tara Nath Jha, Advocate
For the State : Mr. Lalan Kumar AC to GP 9

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 08-12-2016

Heard learned counsel for the petitioner and the State.

It is urged that his application for change in place of PDS
shop was rejected vide Annexure 8 and writ petition filed against
that was dismissed on the ground of non-prosecution. Thereafter, his
licence was suspended and cancelled and the order suspension and
cancellation was challenged in C.W.J.C. No. 1179 of 2016 which was
allowed vide Annexure 16. The impugned orders were set aside. It is
contended that the petitioner could not file restoration application for
the reasons that his licence was itself suspended and cancelled.



Those orders were subsequently quashed and set aside vide Annexure 16. Thereafter, the present writ application has been filed.

In the peculiar facts and circumstances of the case, this writ application is being disposed of with liberty to the petitioner to file a fresh application for transfer of his PDS shop/licence to village Pipra Khurd which should be considered and disposed of by the licensing authority on its own merit and in accordance with law without being prejudice by its earlier order rejecting the same as contained in Annexure 8.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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