

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.2812 of 2014**

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Maqsood Alam Son Of Late Mahboob Hassan Resident Of Village - Shahbajwan,  
P.O. + District - Gopalganj

.... .... Petitioner

Versus

1. The State Of Bihar Through The District Magistrate, Gopalganj
2. The Sub Divisional Officer, Gopalganj

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. ANIRUDH KUMAR VERMA

For the Respondent/s : Mr. GA-4 ASHOK PRIYADARSHI

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**

**ORAL JUDGMENT**

**Date: 06-09-2016**

Heard the counsel for the petitioner and the State.

Counter affidavit on behalf of respondent no.1 is filed.

Petitioner was the stamp vendor under a licence. The District Collector after issuing notice and obtaining his response passed an order dated 18.12.2013 cancelling his stamp vending licence no.11/76. The respondent Collector noticed in the said order that for sale of the stamp in black market the petitioner was facing criminal prosecution under Section 420 IPC.

Upon hearing the counsel for the petitioner as well as the State and after going through the relevant pleadings, it does not appear that any fundamental legal flaw has been committed by the respondent in adopting the procedure and directing cancellation of

the licence. If that be so, the Court would be reluctant to interfere with the order. The petitioner made few submissions to dispute the certain facts on which the licence of the petitioner was cancelled. It would not be appropriate for the writ Court to percolate those facts particularly when on the basis of those facts or allegations, a criminal proceeding is pending before the Court. In fact, the District Collector in the impugned order has noticed that after the petitioner is acquitted in the criminal proceeding, he would be entitled to apply afresh for issue of vending licence.

Finding no merit in the writ application, the same is dismissed.

**(Kishore Kumar Mandal, J)**

B.Kr./-

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