

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.87 of 2016

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Ramanand Bhagat, Son of Jagdish Bhagat, Resident of Panchayat- Chutia
Belari, Block & Police Station- Shambhuganj, District- Banka

.... Petitioner

Versus

1. The State of Bihar
2. Secretary, Department of Food & Consumer Protection, Government of Bihar, Patna
3. District Magistrate-cum-Collector, Banka
4. Sub-Divisional Officer, Banka
5. Assistant District Supply Officer, Banka
6. District Manager, Bihar State Food & Civil Supplies Corporation Ltd. Banka
7. Assistant Godown Manager, Bihar State Food Corporation, Shambhuganj, Banka
8. Block Supply Officer, Amarpur, District- Banka
9. Block Supply Officer, Shambhuganj, District- Banka.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Advocate
Mr. Md. Nurul Hoda

For the Respondent/s : Mr. Rewati Kant Raman, AC to GP-31

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 03-02-2016

Heard learned counsel for the petitioner and the State.

Through this writ application, the petitioner seeks direction to the authorities to restore supplies to his Public Distribution Shop under valid licence no.57/2012.

It is contended that the petitioner's licence was suspended vide order dated 24.12.2012 in view of the pendency of a criminal case lodged under Section 7 of the Essential Commodities Act, however, prior to issuance of such order, by amendment brought in the Public Distribution System (Control)

Order, 2001, w.e.f., 23.06.2011, the provision of suspension of licence was deleted from the Control Order and only mode of punishment was cancellation of licence provided under the same, the writ petition filed by the petitioner bearing CWJC No.3349/2013 assailing the aforesaid order of suspension was allowed vide order dated 28.02.2013 (Annexure-10). Thereafter, it is contended that the petitioner approached the authorities for resumption of supply several times but that was not done till date.

In above view of the matter, this writ application is being disposed of with a direction to the Competent Authority to restore the supply of the petitioner with immediate effect if the petitioner's licence has not been cancelled either under Clause 7 or Clause 14 of the Control Order and the petitioner has not been convicted in the criminal case concerned.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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