

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 7463 of 2015

Sushil Kumar Jha. Son of Late Baidyanath Jha. Resident of Village -
Ratanpura, P.O.- Ratanpur Bela, P.S.- Samastipur, District -
Samastipur. Petitioner.

Versus

1. The State of Bihar through the Secretary of Food and Civil Supply
Department, Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub Divisional Officer, Samastipur.
4. The Assistant District Supply Officer, Samastipur.
5. The Block Supply Officer, Samastipur. Respondents.

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Adv.
For the Respondent/s : Mr. Arvind Ujjwal, SC4,
: Mr. Maruth N. Roy, AC to SC-4.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 25-10-2016

Heard learned counsel for the petitioner and the State.

The licence of the petitioner bearing Licence No.
36/2007 has been cancelled vide order dated 18.02.2015 by the
District Magistrate, Samastipur in case No. 98 of 2013, a copy of
which is appended as Annexure-2, by which he has affirmed the
order dated 19.09.2013 passed by the Sub-divisional Officer,
Samastipur in Case No. 31 of 2003, a copy of which is appended
as Annexure-3.

The allegation against the petitioner stands recorded in
the charge memo issued by the Licensing Authority dated

19.09.2013 placed at Anneure-2 stating that the petitioner had retained the coupons of one year. He allegedly had distributed the ration for one month only. There is no other charge.

It is contended that the allegation made against this petitioner is similar to one Surendra Mahto, however, a Co-ordinate Bench of this Court in case of the aforesaid Surendra Mahto has set aside such orders passed by the appellate authority and licensing authority vide judgment dated 20.04.2015 rendered in CWJC No. 850 of 2015 and, as such, this writ application may also be disposed of on identical terms.

Accordingly, this writ application stands disposed of in terms of the judgment dated 20.04.2015 rendered in CWJC No. 850 of 2015 and, the impugned orders as contained in Annexure 2 & 3 are set aside.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.11.2016
Transmission Date	N.A.