

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16842 of 2016

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Gaya Paswan, son of Late Dihal Paswan, resident of Village- Patasiya, Bauchaha Gram Panchayat, Police Station- Mohiuddinagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Sub Divisional Officer, Patori, Samastipur.
5. The Block Circle Officer, Mohiuddinagar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Adv.
Mr. A.K. Karna, Adv.

For the Respondent/s : Mr. S.Raza Ahmad-AAG-5
Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 08-05-2017

Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is challenging the order as
contained in Memo No. 296 dated 29.09.2014, whereby and
whereunder, the S.D.O. cum Licensing Authority, Patori has cancelled
the P.D.S. license of the petitioner.

It appears that for certain deficiency, a proceeding for
cancellation was initiated by issuing a show-cause but, the petitioner
did not file any explanation within the time prescribed, he was again



given the notice vide order dated 25.09.2014 to file the same, whereafter, when, he did not file the explanation, the S.D.O. cum Licensing Authority, Patori, after considering the material on record, cancelled the license of the petitioner.

It appears that the petitioner has filed an appeal before the District Magistrate, Samastipur cum Appellate Authority being Public Distribution System Appeal No. 33 of 2016.

Let the District Magistrate, Samastipur cum Appellate Authority should decide the appeal within a period of four months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2017
Transmission Date	NA

