

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17026 of 2015

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Naresh Chandra Prasad Son of Sri Lachhman Ram, Resident of Village - Dhanaw,
P.O. & P.S. Jamhore, Block Obra, Dist.-Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Patna, Bihar
2. The Secretary, Food and Civil Supplies Department Old Secretariat, Patna
3. The District Magistrate, Aurangabad
4. The District Supply Officer, Daudnagar, Dist.-Aurangabad
5. The Sub Divisional Officer, Daudnagar, Dist.- Aurangabad
6. The Additional District Supply Officer, Daudnagar, Dist.-Aurangabad
7. The Block Supply Officer, Obra, Dist.-Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Sinha, Adv.
For the State : Mr. Prabhakar Jha, GP-27
Mr. Shankar Kr. Thakur, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-04-2017

Heard learned counsel for the parties.

In the present case, the petitioner is challenging the order dated 8.7.2015 passed by the Sub-Divisional Officer, Daudnagar, Aurangabad, whereby and whereunder, the P.D.S. licence of the petitioner has been cancelled.

A proceeding was initiated at the instance of Jagdish Chandra Prasad, who filed a complaint that Naresh Chandra Prasad has pasted his own photograph upon the licence of Jagdish Chandra Prasad and running the P.D.S. Shop illegally, whereafter, the proceeding was initiated. The petitioner was given show-cause and in



the show-cause, he has taken a plea that he has been running the shop for last several years which can be verified from the consumer. After perusal of the records, the S.D.O. has found that in the year 1992, the licence was issued in the name of Jagdish Chandra Prasad vide Licence No. 01/O/1992 and as Jagdish Chandra Prasad, was not keeping good health, Naresh Chandra Prasad was running the shop but, mischievously, he has got his name substituted in place of Jagdish Chandra Prasad and become Licence No. 01/O/1996, whereafter, he was running the shop in his own name. It has been recorded that the act of Naresh Chandra Prasad is completely fraudulent and illegally he is running the shop and arrived to a decision to cancel the licence of the petitioner.

As the petitioner has directly approached this Court instead of approaching before the appellate authority, this writ application is disposed of with a liberty to the petitioner to file an appeal before the Appellate Authority.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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