

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15334 of 2014

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Prabhakar Kumar Singh, Son of Late Krishna Kant Singh Resident of Village & P.O. Saroja, P.S. Simribakhtiyarpur, District Saharsa.

.... Petitioner

Versus

1. The State of Bihar through the Ministry of Food and Civil Supply Department, Bihar, Patna.
2. District Magistrate, Saharsa.
3. Sub Divisional Magistrate Simri Bakhtiyarpur under District Saharsa.
4. Block Supply Officer cum Block Development Officer, Simri Bakhtiyarpur under District Saharsa.

.... Respondents

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Appearance :

For the Petitioner : Mr. Diwakar Prasad Singh, Advocate

For the Respondents : Mr. Anil Kr. Singh, AC to GP 25

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-11-2017

The present writ petition has been filed for quashing the memo no. 2438-2 dated 28.11.2013 passed by Sub-Divisional Officer, Simri Bakhtiyarpur under District Saharsa by which PDS license of the petitioner was cancelled; and for restoration of the PDS shop of the petitioner.

2. Learned counsel for the petitioner makes a short submission to the effect that he was prevented from lifting the food grains under BPL & Antodaya Scheme for the months of June, September and November, 2013 as he had fallen ill and was suffering from jaundice from 02.05.2013 itself and had informed the Sub-Divisional Officer (respondent no. 3) by his letter which was received on 29.05.2013.



3. Learned counsel for the respondents appears and has been heard.

4. Having heard learned counsel for the parties and on careful consideration of the materials available on record, this Court finds the writ petition to be devoid of merit. The plea of illness from jaundice does not appear to have been supported with any medical prescription etc. Moreover, there is nothing to show that even if the petitioner had been suffering from jaundice from 02.05.2013, the same had prevented him from lifting the food grains for the subsequent months of June, September and November, 2013.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
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