

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.19018 of 2015**

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1. Shiv Shankar Prasad Yadav son of Gajendra Prasad Yadav resident of village Bagdov (Sonapur), P.S. Nayagaon, District Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Munger.
3. The District Magistrate, Begusarai.
4. The Licensing Officer-cum-The Sub-Divisional Officer, Begusarai.
5. Deputy Supply Officer, Begusarai.
6. Block Development Officer, Matihani, Begusarai.
7. Block Supply Officer, Matihani, Begusarai.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Hare Krishna Prasad  
For the State : Mr. Rakesh Ambastha, AC to AAG7

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 19-06-2017**

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

In the present writ petition, petitioner is challenging the order of the Sub Divisional Officer, Begusarai by which his licence bearing no.20 of 2008 of PDS shop has been cancelled.

The Sub Divisional Officer has found that petitioner was not running the PDS shop properly and thereby he has committed certain irregularities in running the shop in question.

The Assistant District Supply Officer, Begusarai and in-charge Block Supply Officer, Motihari have inspected the shop



and found some irregularities in distribution system. The Sub Divisional Officer vide memo no.1063 dated 23.12.2014 sought explanation from the petitioner. Altogether seven irregularities were found and petitioner has filed his explanation which was not to the satisfaction of the Sub Divisional Authority which led to passing of the order.

Petitioner has not exhausted alternative remedy available to him. The petitioner, if so advised, may file an appeal before the authority concerned and if it is filed the authority will decide the appeal of the petitioner in accordance with law. While disposing of the limitation matter the authority will take into account the pendency of the present case before this Court.

With the aforesaid observation this writ petition is disposed of.

**(Shivaji Pandey, J)**

Vinay/-

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