

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12493 of 2015

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1. Kishundeo Rishideo Son of Late Jamun Rishideo resident of Village : Indira Nagar, Dahirawa, P.S. K.Nagar, District : Purnia.

.... Petitioner/s

Versus

1. The State of Bihar represented through the Secretary, Food & Civil Supplies Department, Government of Bihar, Patna.
2. The Collector, Purnia.
3. The Sub Divisional Officer, Sadar, Purnia.
4. The Circle Officer, K.Nagar, Purnia.
5. Shri Hardeo Rishideo Son of Late Ram Swarup Rishideo resident of Village : Nayapatti, P.S. K.Nagar, District : Purnia.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Ravish. Mr.. Sanjay Kumar Sharma Mr. Kashyap Kaushal
For the State	:	Mr. Kumar Priya Ranjan Mr. A.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-10-2017

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

Petitioner was original licence holder for running the PDS shop as was granted licence for smooth running of shop. He has taken help of one Kanhaiya Lal Yadav who used to visit the depot and used to lift the grain. Later on, as per petitioner, he has mischievously renewed the licence of the petitioner in the name of respondent no.5, Hardeo Rishideo, who is stranger to the petitioner.

A counter affidavit has been filed where the State has taken a plea that his licence has been cancelled with effect from



2.6.2001.

Learned counsel for the petitioner submits that petitioner was not served the copy of cancellation order nor any show cause was ever issued and for the first time through the counter affidavit the information has been given to the petitioner about cancellation of licence.

As licence of the petitioner has been cancelled he will be at liberty to take action in accordance with law. If the petitioner files an application before the appropriate authority for the certified copy, keeping in mind, the statement averred before this Court that the authority has never served the copy of cancellation order. The petitioner is directed to file application for copy of the cancellation order. If such an application is filed the authority will be obliged to supply the copy of the cancellation order within a period of two weeks from the date of filing of such application.

With the aforesaid observation and direction this writ petition is disposed of.

Vinay/-

(Shivaji Pandey, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	3.11.2017
Transmission Date	NA

