

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17194 of 2016

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Rajendra Prasad Yadav s/o Late Ganesh Yadav resident of Village - Malti, P.S-
Rajoun, Dist- Banka

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Food & Civil Supply Department, Old Secretariat, Patna, Banka.
2. The Collector, Banka.
3. The Sub-Divisional Officer, Banka
4. The Block Supply Office, Rajoun, Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Respondent/s : Mr. Shashi Shekhar Pd. Sinha, AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 30-06-2017

Heard learned counsel for the parties.

In the present case, the petitioner is challenging the order dated 5.9.2016 passed by the Sub-Divisional Officer, Banka, whereby and whereunder, the P.D.S. License of the petitioner bearing P.D.S. License No. 62 of 2012 has been cancelled.

Some of the consumers have raised a grievance against the petitioner for certain misdemeanour in supply of the food grains which resulted in the proceeding against the petitioner, a show-cause was asked from the petitioner and the petitioner filed his reply. The matter was referred to the Block Supply Officer Rajoun who has submitted his report finding no illegality in maintaining the register



but the S.D.O., Banka, has considered the case on merit in an elaborate manner whereafter he arrived to a finding.

There is a provision for appeal before the Collector, Banka where the petitioner can raise his grievance and the Collector will be obliged to hear the petitioner and pass a reasoned order in accordance with law.

Let the Collector, Banka decide the appeal within a period of four months from the date of filing of the appeal by the petitioner. While deciding the issue of limitation, he will take into considering the pendency of this case before this Court. This Court is not giving any opinion on the merit of the case and the Collector shall decide the appeal on merit.

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

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.07.2017
Transmission Date	NA

