

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5891 of 2018

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Sukhia Devi W/o Satya Narain Resident of Village- Nanaura, P.S. Kamtaul,
District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Darbhanga.
3. The Sub- Divisional Magistrate Cum Licensing Authority, Sadar, Darbhanga, District- Darbhanga.
4. The District Supply Officer, Sadar, Darbhanga.
5. The Block Supply Officer, Keotri Block, Darbhanga.
6. Shiv Shankar Paswan S/o late Akchhay Paswan R/o Village- Dudhua, P.S. Kamtaul, District- Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : Mr. Saroj Kumar, Advocate.

For the Respondents : Mr. S. Raza ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-05-2018

The present writ petition has been filed for the following

reliefs –

“(i) To cancel the PDS license bearing no. 42/07 stands in the name of Shiv Shankar Paswan (respondent no. 6), who is running PDS Shop in the Village Nanaura, P.S.- Kamtaul, District – Darbhanga who was found guilty during the course of enquiry for committing irregularity and illegality in distribution of foodgrains and k. oil to the beneficiaries.

(ii) Further for issuance of order/direction to the Sub Divisional Officer – cum – licensing authority, Sadar, Drbhanga to ensure compliance of the order/direction passed by this Hon’ble Court on 30.11.2017 in CWJC No.



10694 of 2017, whereby and whereunder, the Hon'ble Court has been pleased to remand the matter to the SDO, Sadar for taking decision afresh in the matter after supplying a copy of the enquiry report to the petitioner.

(iii) Further for issuance of order/direction restraining the respondents to further supply of PDS material to the dealer concerned.

(iv) Further for issuance of appropriate writ/order/direction to which the petitioner is found to be entitled too in the facts and circumstances of this case."

2. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner's representation dated 16.01.2018 (Annexure-6) filed before the Sub-Divisional Officer, Sadar, Darbhanga (Respondent No. 3) is directed to be disposed of, in which event, the present writ petition need not be pressed on merits.

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

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of with a direction to the Sub-Divisional Officer, Sadar, Darbhanga (Respondent No. 3) to consider and dispose of the petitioner's representation dated 16.01.2018 (Annexure-6), if the same is pending before him, after grant of opportunity of hearing to the petitioner in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.



(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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