

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6841 of 2018

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Ram Kishun Thakur, Son of Late Mahabir Thakur, Resident of Village- Basipatti,
Police Station- Bheja, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Madhubani.
3. The Sub-Divisional Officer, Jhanjharpur.
4. The Block Supply Officer, Madhepur.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Akash Chaturvedi, Adv
For the Respondent/s : Mr. ARVIND UJJWAL SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-05-2018

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

2. The present writ petition has been filed for quashing the
order of suspension of the petitioner's PDS licence No. 19/2007 (old),
50/2016 (new) passed by the Subs-divisional Officer, Jhanjharpur vide
Memo No. 723 dated 29.12.2017; and for connected reliefs.

3. Learned counsel for the petitioner submits that the licence
of the petitioner, who is a PDS dealer, has been suspended only on the
basis of the first information report instituted as Bheja P.S. Case No.
72/2017. It is submitted that the conditions for suspension of the
licence in terms of Clause 28 of the Bihar Targeted Public Distribution



System (Control) Order, 2016 are not satisfied as the petitioner is neither behind the bar nor he is fugitive. The petitioner relies upon the order dated 07.03.2017 passed by the Coordinate Bench of this Court in CWJC No. 16733 of 2016 in which the order of suspension of licence was quashed for similar reasons.

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

5. Having regard to the nature of the grievance of the petitioner and in view of the order dated 07.03.2017 passed by this Court in CWJC No. 16733 of 2016 in similar circumstances, the impugned order contained in memo no. 723 dated 29.12.2017 passed by learned Sub-Divisional Officer, Jhanjharpur (Annexure-5) is hereby quashed. The writ petition stands allowed.

6. Needless to say, the supply of the articles in terms of the Bihar Targeted Public Distribution System (Control) Order, 2016 shall be restored to the petitioner without delay.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.05.2018
Transmission Date	NA

