

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13879 of 2014

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Sanjay Kumar Singh @ Sanjay Kumar Son of Raghu Singh @ Raghunath Prasad
Singh Resident of Village- Kuwari, P.S.- Kursakanta, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply
Dept. Old Secretariat, Patna
2. The Sub Divisional Officer, Araria

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. SC10- S.S.PRASAD

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-07-2018

The present writ petition has been filed against the order dated
04.10.2007 by which the petitioner's PDS licence bearing no. 07k/07
dated 22.03.2007 has been cancelled .

2. None appears on behalf of the petitioner despite repeated
calls.

3. Learned counsel for the respondents opposes the writ
petition firstly on the ground of delay and laches on the part of the
petitioner in approaching this Court. In any event, it is submitted that
the licence of the petitioner had been illegally granted without the
recommendation of the District Selection Committee and hence the
same had to be cancelled. This issue stands decided in LPA No. 335 of



2013 (The State of Bihar and Ors. vs. Bibi Israt Jahan).

4. Having heard learned counsel for the respondents, this Court finds the writ petition to be devoid of merit, primarily on the ground of inordinate delay of more than six and half years in approaching this Court in the year 2014 against the cancellation order passed in the year 2007 which itself speaks of delay and laches on the part of the petitioner without adequate explanation for such delay. Even otherwise, no infirmity can be found in the order of cancellation in view of the order passed in LPA No. 335 of 2013, observing that once it is found that the licence was granted contrary to the statutory provision, the licence on the face of it becomes unsustainable.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
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