

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16493 of 2018

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1. Kanchan Jha Wife of Late Amlesh Kumar Jha, Resident of Village
Bhramarpur, P.S. Bihpur, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection,
Govt. of Bihar, Patna.
3. The Collector, Bhagalpur, District- Bhagalpur.
4. The Sub-Divisional Officer-Cum-Licensing Officer, Naugachia,
District- Naugachia.
5. The Block Supply Officer-Cum-Circle Officer, Narayanpur P.S. Bihpur
(Bhawanipur), District- Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Respondent/s : Mr. Arvind Ujjwal- Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-09-2018 The present writ petition has been filed for quashing the

order dated 21.10.2014 passed by Sub-Divisional Officer,

Naugachia, whereby and whereunder, the license of the

petitioner's dealership has been cancelled only on the basis of

lodging of an F.I.R. against the petitioner.

Learned counsel for the petitioner submits that there is

no provision of cancellation of PDS license either under the

Essential Commodities Act or Bihar Targeted P.D.S. (Control)

Order, 2016 for cancellation of a license merely on the ground of

lodging of an F.I.R.

The issue is no longer *res integra* as this court in



several cases has held that in case, the license is cancelled merely on the ground of lodging of an F.I.R. the cancellation is void and against the provision of law.

In view of the aforesaid, the present writ petition is allowed and the order dated 21.10.2014 passed by Sub-Divisional Officer, Naugachia is set aside.

(Mohit Kumar Shah, J)

Amit/rajan

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