

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10996 of 2015

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Primary Agriculture Credit Co-operative Society, Cheraki, Police Station-Sherghati, District-Gaya through Virendra Kumar, Manager, Primary Agriculture Credit Co-operative Society, Cheraki, Police Station - Sherghati, District - Gaya

.... Petitioner

Versus

1. The State of Bihar
2. Registrar, Co-operative Society, Bihar, Patna
3. District Magistrate, Gaya
4. District Supply officer, Gaya
5. Sub-Divisional officer, Sherghati, District - Gaya
6. Assistant Registrar, Co-operative Societies, Sherghati, District - Gaya

.... Respondents

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Appearance :

For the Petitioner : Mr. Jitendra Prasad Singh, Advocate.

For the Respondents : Mr. Amresh, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-08-2018

The present writ petition has been filed for setting aside the order contained in Memo No. 539 dated 20.11.2014 issued by the Sub-Divisional Officer, sherghati, Gaya by which the consumer of the Fair Price Shop of the Primary Agriculture Credit Co-operative Society, Cheraki (Cheraki PACS) has been attached with the another licensee without any valid reason.

2. Learned counsel for the petitioner submits that the impugned order dated 20.11.2014 has been passed arbitrarily and illegally tagging the shop of the PACS without the PDS license of the



PACS being suspended/cancelled. It is therefore submitted that the action of the respondents is contrary to the provisions of paragraph-14 of the Public Distribution System (Control) order.

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

4. This Court however takes note that the validity of the license was admittedly valid only upto March, 2017 which has already elapsed. There is nothing on record to show that an application for renewal of the license has been made. In the circumstances, no positive order need be passed.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

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