

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16073 of 2014

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1. Anil Kumar Ram S/o Shri Saral Ram, R/o Gaheri Tola Sekhouna, P.S.- Nautan, District- West Champaran
2. Yogendra Prasad S/o Amir Shah, At + P.O. - Shivrajpur, District- West Champaran
3. Rajeshwar Rai S/o Late Birkodar Ram, R/o Jagdishpur, P.S.- Nautan, District- West Champaran
4. Jagarnath Sahni, S/o Late Birpal Sah, R/o Jagdishpur, P.S.- Nautan, District- West Champaran
5. Bhagirath Sah S/o Late Jagarnath Sah, R/o Jagdishpur, P.S.- Nautan, District- West Champaran
6. Vishwanath Singh S/o Late Bhup Narayan Singh, R/o Jagdishpur, P.S.- Nautan, District- West Champaran
7. Gandhi Sah S/o Late Ram Chandra Sah, R/o Jagdishpur, P.S.- Nautan, District- West Champaran
8. Jawahar Sah S/o Late Bisundeo Sah R/o Jagdishpur, P.S.- Nautan, District- West Champaran
9. Alkhdeo Singh S/o Sri Ramjit Singh At + P.O.- Mangalpur Guddariya, P.S.- Nautan, District- West Champaran

.... Petitioners

Versus

1. The State of Bihar through Secretary, Department of Food, Civil Supplies & Commerce, Govt. of Bihar, Patna
2. The District Magistrate, West Champaran at Bettiah
3. The Sub-Divisional Officer (Sadar) Bettiah, West Champaran
4. The District Supply Officer, West Champaran at Bettiah

.... Respondents

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Appearance :

For the Petitioners : Mr. Jitendra Kumar Giri, Advocate
For the Respondents : Mr. Tej Pratap Singh, AC to GP 17

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-08-2018

The present writ petition has been filed for quashing the order dated 28.02.2006 as contained in letter no. 101/Go issued by the Secretary, Department of Food, Civil Supply and Commerce, whereby and whereunder the Secretary of the Department Food, Civil Supply &



Commerce has ordered the Appellate Authority of the District, West Champaran under the order to cancel the Licenses of those public distribution system licensees against whom the Deputy S.P. Cabinet (Vigilance) Department has alleged the irregularities while distribution of food grains; and for restoration of the Licenses of the petitioners by the licensing authority (Respondent no. 3).

2. Learned counsel for the petitioners submits that the PDS licenses of the petitioners were cancelled by the Sub-Divisional Officer, Bettiah Sadar (respondent no. 3) vide orders dated 05.06.2006 (Annexure-5 series) finding the show cause reply of the petitioners unsatisfactory. It appears that the petitioners had earlier approached this Court in CWJC No. 8598 of 2006 which was however dismissed for default on 17.05.2011 and a restoration petition registered as Miscellaneous Jurisdiction Case No. 2473 of 2011 was also found to be not maintainable as the same was filed without Vakalatnama as evident from the order dated 23.07.2012 (Annexure-10 series).

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

4. This Court takes note that the present writ petition has been filed only laying challenge to the order dated 28.02.2006 passed by the Secretary, Department of Food, Supply and Commerce (Annexure-6), according to which the District Magistrate, West



Champaran Bettiah was directed to cancel the licenses of the concerned PDS dealers in the light of the vigilance report of widespread black-marketing. No specific submission has been made to question the validity of the impugned order dated 28.02.2006 (Annexure-6). The petitioners have not questioned the orders of the cancellation of their own PDS licenses in terms of the orders dated 05.06.2006 passed by the S.D.O. (Annexure-5 series). This Court also takes note that the petitioners have earlier approached through the writ petition bearing CWJC No. 8598 of 2006 which was dismissed for default and the restoration petition was not maintainable.

5. This Court is thus not inclined to interfere in the matter. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A
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