

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.13706 of 2014**

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Kameshwar Sharma Son of Late Bindeshwar Sharma Resident of Village  
Bharmagatpur, Bathua, Police Station Pusa, District Samastipur.

.... .... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Supply Officer, Samastipur.
5. The Sub Divisional Officer, Samastipur.
6. The Block Supply Officer, Pusa, Samastipur.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Asit Kumar Jha  
Mr. Dev Kumar Pandey  
Mr. Lala S.N. Rais  
Mr. Gyan Shankar, Advocates.

For the Respondents : Mr. G.P. 26

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 31-07-2018**

The present writ petition has been filed for a direction to the respondents to immediately restore the operation of the petitioner's Fair Price Shop Licence vide 295/2007 issued on 30.11.2007 under P.D.S. Control Order, 2001 for running the shop in Dharmagatpur Bathua, Village Pusa, District- Samastipur.

2. Learned counsel for the petitioner submits that without any notice nor opportunity of hearing, the authorities stopped the supply of essential commodities thereby preventing the petitioner



from earning his livelihood through the PDS shop. It is submitted that a representation has been filed on 09.04.2014 before the S.D.O., Samastipur (respondent no. 5) resuming supplies to his shop, but to no avail.

3. Learned counsel for the respondents appears and has been heard but till date no counter affidavit has been filed.

4. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the respondent-Sub Divisional Officer, Samastipur (respondent no. 5) to consider and dispose of the representation of the petitioner filed on 09.04.2014 as aforesaid, if still pending, expeditiously and after grant of reasonable opportunity of hearing to the petitioner in accordance with law.

5. Needless to say if the petitioner is aggrieved by the speaking order passed by the Sub Divisional Officer, Samastipur, he shall be at liberty to agitate the same before any appropriate forum as may be available to him in accordance with law.

**(Vikash Jain, J)**

Md. Ibrarul/BT

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