

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14587 of 2015

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Sukhnandan Chaudhary, Son of Late Bahadur Chaudhary, Resdient of Vilage +
P.O.- Ismailpur, P.S. Sadar, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate, Vaishali.
3. The Sub-Divisional Officer-cum-Licensing Authority, Hajipur, Dstrict- Vaishali.
4. The Block Supply Officer, Hajipur, District- Vaishali.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv
For the Resp. State : Mrs. Binita Singh, SC 28
Mr. Kumar Kamal Nayan, AC to SC 28

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-01-2018

The present writ petition has been filed for the following reliefs:-

- (i) For issuance of an appropriate writ/s, order/s, direction/s including a writ preferably in the nature of Certiorari for quashing the order dated 14.03.2012 as contained in memo No. 02 dated 12.03.2012 as well as order dated 01.08.2015 passed in Cr. Misc. (PDS) Appeal No. 01/12-13 whereby and whereunder the licensing authority Sub-divisional Officer, Hajipur, Vaishali cancelled the license of PDS shop of the petitioner vide Licence No. 31/2007 and the learned District



Magistrate, Vaishali at Hajipur dismissed the appeal of the petitioner and affirming the order dated 14.03.2012 passed by learned S.D.O., Sadar, Hajipur.

- (ii) For further commanding and directing the respondent no. 3 to restore the license of the P.D.S. shop of the petitioner bearing its No. 31 of 2007 in accordance with law with immediate effect.

2. Learned counsel for the petitioner submits that even though he had submitted reply to the show cause notice, the same has not been considered in its proper perspective.

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

4. A perusal of the impugned order of the Sub-divisional Officer, Vaishali at Hajipur discloses that the reply to the show cause has been considered but not accepted in view of the irregularities in the distribution of the food grains by the petitioner, who is a PDS dealer. The matter has been carried in appeal, the same has also not found favour with the appellate authority

5. Having regard to the entirety of the facts and circumstances of the case, this Court is not inclined to interfere in the matter as the petitioner has not been able to make out a case of any error in the decision making process. The writ petition stands dismissed.

6. Needless to say, the petitioner may seek remedy by of revision



against the order of the Collector, Vaishali at Hajipur, if the same is available, in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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