

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1401 of 2018

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Ranjit Kumar @ Ranjit Kumar Singh son of Vashishtha Narayan Singh, resident of village Fulhara P.S. Mansahi, District Katihar.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector cum District Magistrate, Katihar.
3. The District Supply Officer, Katihar.
4. The Sub-Divisional Officer, Katihar.
5. The Block Supply Officer, Mansahi, Katihar.
6. The Circle Officer, Mansahi, Katihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate.

For the Respondents : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-02-2018

The present writ petition has been filed for quashing of the order dated 13.06.2017 contained in Memo No. 276 passed by the Sub-Divisional Officer, Katihar (respondent no. 4) by which the PDS licence of the petitioner being license no. 3/11 has been cancelled.

2. Learned counsel for the petitioner submits that the license of the petitioner, who is a PDS dealer, has been suspended only on the basis of the first information report instituted as Mansahi P.S. Case No. 47 of 2017. It is submitted that the conditions for suspension of the license in terms of Clause 28 of the Bihar Targeted Public Distribution System (Control) Order, 2016 are not satisfied as the petitioner is neither behind the bar nor he is fugitive. The petitioner



relies upon the order dated 07.03.2017 passed by the Coordinate Bench of this Court in CWJC No. 16733 of 2016 in which the order of suspension of license was quashed for similar reasons.

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

4. Having regard to the nature of the grievance of the petitioner and in view of the order dated 07.03.2017 passed by this Court in C.W.J.C. No. 16733 of 2016 in similar circumstances, the impugned order contained in Memo No. 276 dated 13.06.2017 passed by learned Sub-Divisional Officer, Katihar (respondent no. 4) is hereby quashed. The writ petition stands allowed.

5. Needless to say, the supply of the articles in terms of the Bihar Targeted Public Distribution System (Control) Order, 2016 shall be restored to the petitioner without delay.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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