

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22303 of 2018

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Rambilash Prasad S/o Late Ganesh Prasad Sah Resident of Village-
Jhalaun,P.S. Ladania,Distt.-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector cum District Magistrate,Madhubani,Distt.-Madhubani
2. The Sub-Divisional Officer,Jainagar,Sub-Divisional Office Jainagar,Distt.-Madhubani
3. The In-Charge Block Supply Officer cum Circle Officer Ladania,Block-Ladania,Jainagar Sub-Division,Distt.-

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Nath Kanth
For the Respondent/s : Mr.S.Raza Ahmad -Aag5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 20-12-2018

The present writ petition has been filed for quashing the order dated 05.03.2018 passed by the Sub-Divisional Officer, Jainagar, whereby and whereunder the licence of the PDS shop of the petitioner has been suspended merely on the ground of lodging of an FIR.

The learned counsel for the petitioner submits that the action of the Sub-Divisional Officer is against the provision of the Bihar Targeted PDS (Control) Order,2016, particularly Rule 28 of the said rule inasmuch as the petitioner has neither been arrested in connection with the said FIR in question nor is a fugitive whereas on the contrary, the petitioner has been granted anticipatory bail by



this Court by an order dated 23.08.2018 passed in Cr. Misc. No. 48162 of 2018.

The learned counsel for the respondents does not dispute the position existing in law.

Having regard to the facts and circumstances of the case, this Court finds that the impugned order dated 05.03.2018 passed by the Sub-Divisional Officer, Jainagar is contrary to Rule 28 of the Bihar Targeted PDS (Control) Order, 2016, hence, the same is quashed.

The writ petition is allowed.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

