

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16508 of 2018

=====

Abdul Samad S/o Maniruddin Ward No. 05 Mahsel, P.O. - Mirpur, P.S. Routa,
Purnia, District - Purnia.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Food and Civil Supply,
Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply, Bihar, Patna.
3. The Divisional Commissioner, Purnia.
4. The District Magistrate, Purnia.
5. The District Supply Officer, Purnia.
6. The Sub-Divisional Officer, Baishi, Purnia.
7. The Block Supply Officer, Baisha.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Ranjan
: Mr. Rajiv Ranjan
For the Respondent/s : Mr. S. Raza Ahmad- AAG5

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 10-09-2018

1. The present writ petition has been filed for quashing the order contained in Memo dated 08.10.2016 issued by the Sub-Divisional Officer, Baishi whereby and whereunder, the Sub-Divisional Officer, Baishi has attached the Fair Price Shop of the petitioner under Public Distribution System bearing licence no. 12 of 2007.

2. The learned counsel for the petitioner submits that the only ground for attaching the P.D.S. licence is that an FIR has been lodged against the petitioner herein. The learned counsel for the



petitioner has relied upon a judgment dated 02.04.2018 passed in similar circumstances in CWJC no. 12415 of 2017.

3. The learned counsel for the respondents has not been able to controvert the position existing under the law.

4. Having regard to the facts and circumstances of the case, the present writ petition is allowed and the order dated 08.10.2016 passed by the Sub-Divisional Officer, Baishi is quashed.

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.09.2018
Transmission Date	NA

