

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15587 of 2017

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Suresh Paswan Son of Late Manki Paswan, Resident of Village-Pathra,
P.S.Amas, District-Gaya

... .. Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer, Sherghaty
4. The Block Supply Officer, Amas
5. The Anchal Adhikari, Amas

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Advocate
For the Respondent/s : Mr. AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is unable to persuade this Court in entertaining the writ application as the Court finds on perusal of records that the license of the petitioner was cancelled as back as on 19.03.2001. The said cancellation order was not challenged. At the relevant time one FIR was also lodged against the petitioner giving rise to Amas P.S. Case No. 68 of 1998 under Sections 420, 409 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

In the said case the petitioner was acquitted on 09.06.2008. Thereafter in the year 2016 the petitioner filed an application before the Sub-Divisional Officer, Sherghati by



which he has brought to the notice of the S.D.O. the judgment of the court acquitting him from the charges and prayed for restoration of his license. The only plea to explain the delay and laches on the part of the petitioner is a statement made in paragraph 6 of the writ application that the petitioner had filed several applications before the Sub-Divisional Officer, Sherghati to restore the PDS license granted to the petitioner but nothing was done. In support of the statement made in paragraph 6 no material has been enclosed.

Learned counsel for the State is correct in saying that an issue which has already died need not be allowed to be agitated by directing the authority to consider the representation of the petitioner.

The Court is not inclined to entertain the writ application on the ground of delay and laches alone. The writ application is dismissed.

(Rajeev Ranjan Prasad, J)

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