

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3204 of 2019

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Lav Prasad S/o Kuldeep Prasad Vill.-Ramari Bigaha, P.s.-Dhanrua, Distt.-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Secretary, Department of Food and Consumer Protection, Govt.of Bihar, Patna
2. The Collector Patna
3. The Sub Divisional Officer Masaurhi
4. The Block Supply Officer Dhanrua

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Adv. Mr.Dhananjaya Nath Tiwari , Adv. Miss Preety Kunwar, Adv.
For the Respondent/s	:	Mr.Arvind Ujjwal (SC 4) Mr. U.P. Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-06-2019 In view of the admitted facts appearing from memo no.701 dated 24.11.2018 as contained in Annexure-1 to the writ application saying that while issuing show cause notice to the petitioner the Sub-Divisional Officer, Masaurhi, Patna had not proposed cancellation action, learned counsel for the State submits that the writ application may be disposed off in the light of the Hon'ble Division Bench judgment of this Court in the case of Ram Bachan Ram Vs. the State of Bihar & Ors. reported in 2018(4) PLJR 516.

Apparently, the cancellation of the licence of the PDS shop of the petitioner is liable to be set aside for violation of the



Rule 27(ii) of the Bihar Targeted PDS (Control) Order, 2016.
The same is accordingly set aside and the matter is remitted to the Sub-Divisional Officer, Masaurhi for fresh consideration in accordance with law. In view of the setting aside the impugned cancellation order as contained in memo no.777 dated 29.12.2018 (Annexure-3 to the writ application) the licence of the petitioner stands restored forthwith. The Sub-Divisional Officer, Masaurhi is directed to proceed afresh and complete the whole exercise within three months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

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