

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3514 of 2019

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Dhyani Prasad Roy @ Dhyani Roy S/o Daya Lal Roy Resident of village-
Dhangama, P.S- Kadwa District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Katihar Bihar
3. The sub-Division Officer Barsai (supply Selection) District-Katihar Bihar
4. The Sub-Divisional Officer Barsoi (Supply Section), District-Katihar Bihar
5. The Block Supply Officer, Dhangama (Kadwan) District-Katihar Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dr. Shashi Shekhar Kishore
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-07-2019 In the present case, the petitioner is seeking quashing of the order dated 01.11.2002 contained in memo no.1223 passed by the Sub-Divisional Officer, Barsoi (Supply Section) by which the PDS shop licence of the petitioner bearing no.17/94 has been cancelled.

It appears from a reading of the writ application that vide memo no.429 dated 13.11.2001 (Annexure-1) the petitioner was called upon the show cause with regard to certain irregularities and illegalities and violation of the terms and conditions of the licence. The petitioner submitted his reply, but thereafter the S.D.O. passed the impugned order, as contained in Annexure-3 to the writ application, by which the licence of the



petitioner has been cancelled.

This writ application has been filed 17 years after the impugned order was passed by the licensing authority. There is no explanation at all as to why the petitioner did not avail the statutory remedy of appeal available to him in terms of Clause 32 of the Bihar Targeted PDS (Control) Order, 2016.

In the opinion of this Court, the writ application is thoroughly misconceived and is fit to be dismissed on the ground of delay and laches. The views expressed by this Court is in tune with the judgment of the Hon'ble Division Bench of this Court in the case of Deo Sahay Singh Vs. State of Bihar & Ors. reported in 2019(4) BLJ 345.

(Rajeev Ranjan Prasad, J)

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