

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4662 of 2019

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Gulab Chandra Ram @ Gulab Ram, aged about 59 years, Male, Son of Mohar Ram Resident of Village-Kakarkund, P.S. and District-Gopalganj, P.D.S. Dealer Gram Panchayat Raj Manikpur, Block-Gopalganj, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Gopalganj
3. The Sub-Divisional Officer, Gopalganj
4. The Block Development Officer, Gopalganj
5. The Block Supply Officer, Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava
For the Respondent/s : Mr.S.Raza Ahmad (AAG5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-07-2019 In the admitted facts of the case where the petitioner was sent to jail after lodgment of the F.I.R. being Gopalganj P.S. Case No. 388/2017 on 04.09.2017 and on the date of issuance of the impugned order dated 09.09.2017 he was in jail, this court is of the considered opinion that the order as contained in Annexure '3' is in accordance with Clause 28 of the Bihar Targeted P.D.S. (Control) Order, 2016 (hereinafter referred to as the "Control Order, 2016"), no interference is required with the same at this stage.

Learned counsel for the petitioner is however correct in saying that after passing of the impugned order as Annexure



‘3’ the Licensing Authority, Gopalganj cannot be allowed to remain sitting over the matter because in terms of the Control Order, 2016 he has to serve a show cause notice and proceed further within a stipulated period of 180 days which has not been done in the case of the petitioner so far.

Learned counsel for the State submits that to that extent a direction may be issued to the Sub-Divisional Officer, Gopalganj to proceed further and pass an appropriate order within a reasonable time.

In the given facts and circumstances of the case this court directs the Sub-Divisional Officer, Gopalganj to proceed further with the matter after serving a show cause notice to the petitioner as is required under the law and pass a reasoned order after considering the reply of the petitioner. Let the whole exercise be completed within a period of 90 days from the date of receipt/production of a copy of this order.

The Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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