

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4499 of 2019

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Sachchidanand Paswan, aged about 64 (Male) Son of Late Dwarika Paswan,
resident of Village- Babhangawan/Babhangama, P.S.- Bihpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection,
Government of Bihar, Patna.
3. The Collector, Bhagalpur, District- Bhagalpur.
4. The Sub-Divisional Officer-cum-Licensing Officer, Naugachia, District-
Bhagalpur.
5. The Block-Supply Officer-cum-Circle Officer, Bihpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the State : Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and learned

AC to AAG-5 for the State.

2. The petitioner has moved the Court for the

following reliefs:

*“That this application is being filed
for indulgence of this Hon’ble Court by issuance
of an appropriate writ/writs, order/orders,
direction/direction upon the respondents for
quashing the order passed in memo No. 162/Aa
dated 21.03.2017 by the Sub-Division Officer,
Naugachia whereby and where under the
learned S.D.O., Naugachia has been pleased to
cancel the P.D.S. license of the petitioner
bearing license No. 51/1993 only on the basis of
lodging First Information Report without asking
any show cause notice and without providing*



any inquiry Report and for any other relief/reliefs for which it is fit and proper in the eye of law as well as facts and circumstances of the case, and, petitioner further prays that the respondent No. 4 particularly be directed to restore the P.D.S. License of the petitioner forthwith in the interest of justice and equity.”

3. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to move before the District Magistrate, Bhagalpur in appeal as provided under Section 32(iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

4. In view thereof, as prayed for by learned counsel for the petitioner, the writ petition stands disposed off as withdrawn with liberty aforesaid.

5. It goes without saying that if such an appeal is filed before the Appellate Authority, the same shall be considered, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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