

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5590 of 2019

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Chunchun Mandal, aged about 67 years, Gender – Male, Son of Gudar Mandal Resident of Village Garaiya Tola, Bhatgawar, P.S.- Chausa, District- Madhepura.

... .. Petitioner

Versus

1. The State of Bihar Through Principal Secretary Food and Civil Supply Department Government of Bihar, Patna.
2. The District Magistrate Madhepura.
3. Sub- divisional Officer Udakisunganj, District- Madhepura.
4. District Supply Officer Madhepura.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Respondent/s : Mr.U.P. Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-11-2019 Petitioner in the present case is seeking to challenge the order as contained in Memo No. 1 dated 15.05.2010 issued by the respondent no. 3 by which the licence of the petitioner's Public Distribution System Shop has been suspended.

It is the contention of the petitioner that by the impugned order as contained in Annexure '2' to the writ application, the licence of the petitioner had been placed under suspension with immediate effect, but thereafter no action has been taken.

Learned counsel for the State submits that this



writ application is not fit to be entertained at this stage and no relief may be granted to the petitioner as the petitioner has chosen to move this court after nine years from the date on which the cause of action arose. Learned counsel submits that the petitioner having abandoned his interest in running the Public Distribution System Shop, the writ application is fit to be dismissed on the ground of delay and laches alone. It is further submitted that in the year 2016 a new Rule namely, Bihar Targeted Public Distribution System (Control) Order, 2016 has come into force and fresh licences have been issued to the selected candidates after advertisement. In such view of the matter also this issue cannot be allowed to be agitated at this stage.

Having heard learned counsel for the petitioner and learned counsel for the State, this court finds much substance in the submission of learned counsel for the State. The petitioner is moving this court against the suspension of licence after about nine years when the new Rule for grant of licence has already come into force in the year 2016 and thousand of licences have already been issued in terms of the new Rules.



The writ application is fit to be dismissed on the ground of delay and laches alone and the same is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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