

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15278 of 2018

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Arun Kumar Chaudhary Son of Late Amrit Chaudhary Resident of Village-
Bari Nagar, Shama Tola, Ward No.7, P.S.-Barari, District-Katihar.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector Cum District Magistrate, Katihar.
3. The District Supply Officer, Katihar.
4. The Sub-Divisional Officer, Katihar.
5. The Block Supply Officer, Barari, Katihar.
6. The Circle Officer, Barari, Katihar.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate Mr. Sanjeev Kumar Singh
For the Respondent/s	:	Mr. Md. Anisul Haque, AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-03-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

In the nature of the reliefs prayed in the writ application, learned counsel for the State submits that the matter may be disposed of at this stage with a direction to the Sub-Divisional Officer, Katihar to look into the representation of the petitioner as contained in Annexure-6 to the writ application and pass an appropriate order thereon.

It is the case of the petitioner that when he earlier moved before this court for quashing of the order dated 24.11.2016, as contained in Memo No. 613, issued by the Sub-



Divisional Officer, Katihar whereby the Public Distribution Shop license of the petitioner was suspended, a stand was taken on behalf of the State that the order of suspension of PDS license is no longer in force because no further adverse action has been taken against the petitioner within a prescribed period of 180 days. Taking note of the submission of learned counsel for the respondents in the said writ application, the learned writ court held that no interference is required with the impugned order of suspension.

It is submitted that the order passed by the learned writ court in CWJC No. 9841/2017 is based on the stand of the respondents but till date the Sub-Divisional Officer, Katihar has not restored the license of the petitioner and the allotment of the petitioner has not been restored. It is submitted that over 1 ½ years has gone after passing of the order by the learned writ court in CWJC No. 9841/2017.

This court finds force in the submission of learned counsel for the petitioner. If the Sub-Divisional Officer, Katihar is sitting over the matter and has not restored the license of the petitioner despite his stand disclosed in paragraph-2 of the order dated 30.11.2017 passed in CWJC No. 9841/2017, it may be a case of negligence on the part of the Sub-Divisional Officer,



Katihar and this court would have directly initiated action against him for sitting over the matter in contravention of his own stand which was the basis of passing of the order in the writ application, but giving him an opportunity this court directs him to look into the representation of the petitioner as contained in Annexure-6 and pass a reasoned order thereon taking note of the aforesaid facts which are the matters of record. Such a decision will be taken within a period of 30 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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