

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20742 of 2018

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Ganga Prasad Mandal Son of Late Kusum Lal Mandal, Resident of Village-
Kalapatti, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Bhagat
For the Respondent/s : Mr.S. Raza Ahmad- Aag5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-12-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Grievance of the petitioner in the present application
is that without compliance of principle of natural justice and fair
play PDS license of the petitioner was cancelled.

Learned counsel for the petitioner submits that except
the filing of criminal case there is no material against the
petitioner and he refers to Rule 28 of 2016 to submit that
pendeny of the criminal case itself is no ground to cancel the
license of the petitioner.

Considering the aforesaid, the writ petition is allowed.
The orders contained in Annexure-3 and 4 are hereby quashed.



In the event, the criminal court records the finding of guilt against the petitioner, liberty shall be available to the respondents to take appropriate action in accordance with law.

As a consequence of quashing of Annexure-3 and 4, the petitioner shall be entitled to restoration of his license.

(Anil Kumar Upadhyay, J)

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