

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4071 of 2019

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Yogendra Paswan S/o Ram Lakhan Paswan Resident of village-Bagewa Tola,
Dorewar, P.S.-Jai Nagar, District- Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner Darbhanga Division, Darbhanga
3. The Collector Madhubani District, Madhubani
4. The District Officer District Supply Committee, Madhubani, District -
Madhubai
5. Sub-divisionl Officer Jainagar, District-Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-07-2019 This writ application has to be dismissed at the outset on the ground of delay and laches alone. The facts reveal from the writ application would show that the order of cancellation of licence was passed as back as on 02.04.2009. The appeal preferred by the petitioner against the said order came to be dismissed on 05.01.2010. Thereafter the petitioner preferred a revision application before the Commissioner, Darbhanga Division, Darbhanga which was dismissed vide order dated 05.09.2012 on the ground that the same was barred by limitation. The certified copy of the impugned order enclosed with the writ application shows that it was obtained by the



petitioner on 26.07.2013. The petitioner did not challenge the said order for more than 6 years after dismissal of the revision application.

In these circumstances, learned counsel for the State has rightly raised a preliminary objection as to the acceptance of this writ application.

This Court is in agreement with the submission of the learned counsel for the State that the writ application is fit to be dismissed on the ground of delay and laches alone particularly when this Court finds that in the year 2016 the entire rules relating to grant of PDS shop licence has come to a change with the coming into force of Bihar Targeted PDS (Control) Order, 2016. This Court also finds support to its decision to dismiss the writ application on the ground of delay and laches from the judgment of the Hon'ble Division Bench of this Court in the case of **Deo Sahay Singh Vs. State of Bihar & Ors.** reported in **2019(4) BLJ 345.**

(Rajeev Ranjan Prasad, J)

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