

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6086 of 2019

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Anil Kumar Khetan, S/o Late Parmanand Khetan Resident of Village- Naya Bazar, Badi Durga Sthan, Ward No.18/23, P.S. and District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food and Consumer Protection Department, Old Secretariat, Patna
2. The Divisional Commissioner, Munger Division, Munger
3. The Collector, Lakhisarai
4. The SDO, Lakhisarai
5. The Block Supply Officer, Chanan, Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Respondent/s : Mr.S. Raza Ahmad (AAG-5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-01-2020 Heard the learned counsel for the parties.

The petitioner, a PDS licensee whose license has been cancelled, has challenged the orders cancelling his license, rejecting his appeal as also the rejection of the revision petition *vide* order dated 08.01.2019.

On going through the order passed in revision by the Commissioner, Munger, it appears that no ground has been provided for holding the explanation of the petitioner to be unsatisfactory.

The license of the petitioner was cancelled



primarily on the grounds that on 02.06.2016, the Block Supply Officer, Chanan, Lakhisarai had found the shop to be closed and that some of the coupons were found to be of residents of different ward and not of the ward which is tagged with the shop of the petitioner. Definite explanation had been offered by the petitioner at all the stages, viz, that the time of inspection was never stated in the inspection report and that there was a reasonable explanation for coupons of different wards to have been found. None of those explanations have been adverted to by anyone of the authorities under the Bihar Targeted PDS (Control) Order, 2016. The revisional order, in the least, does not at all advert to any reason for dubbing the explanation of the petitioner to be unsatisfactory.

The revisional order, therefore, does not appear to be sustainable in the eyes of law.

This Court is left with no other alternative but to set aside the aforesaid order and remit the case to the Commissioner, Munger for writing out a fresh order in



accordance with law within a period of four weeks from
the date of production/receipt of a copy of this order.

The writ petition stands allowed to the extent
indicated above.

(Ashutosh Kumar, J)

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