

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8022 of 2020

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Arun Kumar Singh Son of Nihora Singh Resident of Village- Hatpokhar,
Rangal Tola Jangal Mahal P.O. Jitaura P.S. Piro District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary Food and Civil Supply Government of Bihar, New Secretariat Patna.
2. The District Magistrate, Bhojpur.
3. The Sub Divisional Officer, Piro.
4. The Block Supply Officer Jitoura.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Mishra, Advocate

For the Respondent : Mr. Arvind Ujjawal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 18-12-2020

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The present writ petition has been filed "*for quashing the order dated 20.04.2020 passed by the respondent no. 3 by which the license no. 120/2016 of the petitioner under public distribution*



system has been suspended; and the petitioner further prays to restore the license of the petitioner forthwith".

3. Learned counsel for the petitioner submits that the license of the petitioner, who is a PDS dealer, has been suspended only on the basis of the first information report instituted as *Piro P.S. Case No. 97 of 2020*. It is submitted that the conditions for suspension of the licence in terms of Clause 28 of the *Bihar Targeted Public Distribution System (Control) Order 2016* are not satisfied as the petitioner is neither behind bars nor is he a fugitive. The petitioner relies upon the order dated 07.03.2017 passed by a Coordinate Bench of this Court in *CWJC No. 16733 of 2016* in which the order of suspension of licence was quashed for similar reasons.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievance of the petitioner and in view of the order dated 07.03.2017 passed by this Court in *CWJC No. 16733 of 2016* in similar circumstances, the impugned order contained in memo no. 140 dated 20.04.2020 passed by learned Sub-Divisional Officer, Piro, Bhojpur (Annexure-3) is hereby quashed. The writ petition stands allowed.

6. Needless to say, the supply of the articles in terms of the Bihar Targetted Public Distribution System (Control) Order, 2016 shall be restored to the petitioner without delay.



7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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AFR/NAFR	NAFR
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