

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.64 of 2020

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Rajbali Yadav S/o Bichram Yadav Resident of Village- Bhaluhar, P.s.- Gurua,
District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna
2. The Collector Gaya
3. The S.D.O. Sherghati
4. The Marketing Officer Sherghati, Gaya
5. Amarendra Kumar Sinha S/o Ram Das Singh Resident of Village- Salempur, P.s.- Gurua, Block- Gurua, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari
For the Respondent/s : Mr.S. Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2020 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The present writ petition has been filed for quashing the order dated 14.05.2019 passed by the learned Sub Divisional Officer, Sherghati, Gaya whereby and whereunder the PDS license of the respondent no. 5 i.e. Amarendra Kumar Sinha has been restored upon misrepresentation of the order of this Court dated 22.04.2019 passed in CWJC No. 2082 of 2019 whereby and whereunder the order of cancellation of the public distribution shop of the private respondent No. 5 was set aside on technical grounds and the matter was remanded back for



fresh consideration.

The learned senior counsel appearing for the petitioner submits that in pursuance to the aforesaid order dated 22.04.2019 passed by a Co-ordinate Bench of this Court, the matter, upon remand, is still pending and no final decision has been taken with regard to the case of the private respondent No. 5 and instead his license has been restored for the time being, hence, a direction be issued for conclusion of the pending proceedings.

The learned counsel for the State submits that the cancellation proceedings pending against the private respondent No. 5 would definitely be completed within a stipulated time frame as directed by this Court.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Sub Divisional Officer, Sherghati, Gaya to act in accordance with the directions issued by a Co-ordinate Bench of this Court vide order dated 22.04.2019 passed in CWJC no. 2082 of 2019 and pass final orders in the pending proceedings pertaining to PDS license of the respondent No.5 bearing license no. 268 of 2007.

It is expected that the final orders shall be passed within a period of eight weeks from the date of



receipt/production of a copy of this order, after giving opportunity of hearing to respondent No. 5.

It is made clear that present order shall not be construed to be expression of any kind of opinion on the merits of the case of the private respondent No. 5.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/karan-

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