

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5558 of 2020

=====

Ram Bilash Kumar, Son of Doman Mandal, Resident of Village-Paukri, Post
Office-Khaira, Police Station-Haveli Kharagpur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Food and Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Supplies, Government of Bihar, Patna.
3. The District Magistrate, Munger.
4. The Sub-Divisional Magistrate, Haveli Kharagpur, Munger.
5. The Block Supply Officer, Haveli Kharagpur, Munger.
6. The Investigating Officer, Munger.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate

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

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-11-2021

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-



- (i) For the issuance of the Rule in the nature of writ of Certiorari for quashing the order dated 24.03.2015 passed by the Respondent No. 4. The Sub-Divisional Officer, Haveli Kharagpur, Munger whereby and whereunder the P.D.S. Licence of the petitioner bearing No. 63/2007 has been cancelled on the ground that the reply to the show cause notice filed by the petitioner was found not satisfactory by the Respondent No. 5 the Block Supply Officer, Haveli Kharagpur, Munger and he recommended for the cancellation of the P.D.S. Licence of the petitioner dehors the provision of contained in Clause 5 (v) & (vi) of Public Distribution System (Control order 2001) and also provision of Clause 7(1) of P.D.S.
- (ii) For the issuance of Rule in the nature of writ of Mandamus commanding the respondent authorities to revoke the cancellation of the aforesaid licence of the petitioner for the benefit of the beneficiaries of the petitioner.



Learned counsel for the petitioner states that the appeal preferred by the petitioner is still pending consideration.

Learned counsel for the State states that if the appeal is pending before the appellate authority, the same would positively be decided within a period of four months from today.

Statement accepted and taken on record.

In view of the same, learned counsel for the petitioner does not press the present petition reserving liberty to agitate all the issue in the appeal already pending before the appropriate forum.

The petition stands disposed of reserving liberty aforesaid.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	25.11.2021
Transmission Date	

