

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1570 of 2021

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Heera Lal Singh S/o Rambachan Singh Resident of Village- Gram and Post-
Rajpur, P.S.- Rajpur, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food and Consumer Protection
Department, Old Secretariat, Patna.
2. The SDO, Bikramganj, Rohtas.
3. The Block Supply Officer, Rajpur, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Namrata Mishra, Advocate Mr.Chhote Lal Mishra, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad, A.A.G. 5 Mr. Md. Kamil Akhtar, AC to AAG 5

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

Date : 07-12-2021

Petitioner has prayed for the following relief(s):

- “(i) For setting aside the order dated
21.12.2017 passed by S.D.O.
Bikramganj, fully contained in Memo
No. 587 whereby and whereunder the
PDS License of the petitioner was
cancelled basically on the ground that
his show cause was not supported
with any cogent evidence.
- (ii) For setting aside the order dated
07.02.2020 passed by Collector,



Rohtas, in Supply Appeal No. 01/2018 whereby and whereunder the supply appeal preferred by the petitioner is also rejected without given any observation that petitioner has already been acquitted in Rajpur P.S. Case No. 147/2017 on 15.11.2019 by Learned S.D.J.M. Rohtas.”

It is submitted on behalf of the counsel for the petitioner that his licence for P.D.S. dealership was cancelled by the licensing authority i.e. S.D.O., Bikramganj, Rohtas after institution of an F.I.R. under the provisions of Essential Commodities Act against him and thereafter his licence was suspended vide Annexure-1. He was tried for the offence under Essential Commodities Act, but the charges were not found proved and he was acquitted by the trial court itself.

As such, he applied under Section 29 of the Rules for restoration of his licence, but no such order was passed by the licensing authority, although he had made a representation in view of Rule 9 of the Targeted PDS Control Order, 2016.

The writ petition is disposed of with direction to the licensing authority i.e. S.D.O., Bikramganj, Rohtas, to pass order on the representation filed by the petitioner within 30 days from the date of receipt/production of a copy of this order.



Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2021
Transmission Date	

