

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.21 of 2021

In

Civil Writ Jurisdiction Case No.15447 of 2017

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Nizamuddin Ahmad, S/o Late Israrul Haque R/o Village- Sidhwaniya, P.S.-
Kateya, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Divisional Commissioner, Saran at Chapra.
3. The District Magistrate-cum- Collector, Gopalganj.
4. The Sub- Divisional Officer, Hathuwa, Gopalganj.
5. The Block Supply Officer, Kateya, Gopalganj.

respondent/s

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

Appearance :

For the Appellant/s	:	Mr. N.K. Agrawal, Sr. Adv Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s	:	Mr. S.Raza Ahmad, AAG-5, Mr. Alok Ranjan, 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 : 08-09-2021

Aggrieved by the judgment and order dated 19.10.2020 passed in C.W.J.C. No. 15447 of 2017 passed by learned Single Judge of this Court dismissing the writ petition, the appellant has preferred this appeal.

Briefly stated the facts of the case is that show

cause notice dated 16.07.2015 was issued to the appellant by the Sub-Divisional Officer-cum-Licensing Authority, Hathua, as to why the license of the public distribution shop granted to the appellant be not cancelled. The show-cause notice was issued on the basis of report dated 10.07.20215 of Block Supply Officer, Kateya, in which several irregularities and various acts of omission and commission were found to be true against appellant. A copy of report of Block Supply Officer was enclosed with the show cause.

The S.D.O.-cum-Licensing Authority in the order 30.07.2015 has found appellant to have violated the terms and conditions of the license and could not discredit the inquiry report of Block Supply Officer in which several irregularities were found to have been committed by the appellant. The appeal preferred before the District Magistrate, Gopalganj, as well as revision preferred before the Commissioner Saran Division, were dismissed.

The learned Single Judge has also held that public distribution shop system caters the need of deprived sections of society living below poverty line and is meant for those who need subsidies food articles and denial of ration/Kerosene to the needy beneficiaries would defeat the very object of food

security and dismissed the writ petition.

This Court does not find any error or infirmity in the order passed by learned Single Judge and, accordingly, this LPA is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA