

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9576 of 2020

=====

Sunaina Devi @ Sunaina Kumari, wife of Ranjeet Kumar, Resident of Village-Mahuaa Bigha, Village-Panchayat-Kurmawan, Police Station-Cherki, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer, Sadar Gaya.
4. The Block Supply Officer, Bodh Gaya, Dist.-Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (A.G)

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-04-2021 The petitioner is aggrieved by the order dated 07.04.2020 contained in memo No. 384 whereby the P.D.S license of the petitioner has been suspended on the ground of lodging of F.I.R against the petitioner. The petitioner is further aggrieved by the order 06.07.2020 whereby the P.D.S license of the petitioner has been cancelled by the Sub Divisional Officer, Sadar, Gaya.

Learned counsel appearing on behalf of the petitioner would submits that suspension of the P.D.S license of the petitioner by the Sub Divisional Officer,



Sadar, Gaya on the ground of lodging of F.I.R against him is unsustainable and contrary to Clause 28 of the Bihar Targeted P.D.S(Control) Order, 2016. He further submits that the order cancelling P.D.S license of the petitioner without affording opportunity of hearing to the petitioner and serving a copy of the enquiry report is also unsustainable in law.

Considering the aforesaid submissions, the Court is convinced that the order cancelling P.D.S license of the petitioner is violative of principle of natural justice.

Accordingly, the order dated 06.07.2020 passed by the Sub-Divisional Officer, Sadar, Gaya vide memo No. 718 cancelling the P.D.S license of the petitioner cannot be sustained and it is accordingly quashed.

Since the order of cancellation of P.D.S license of the petitioner has been quashed on the ground of violation of principle of natural justice, the respondents



are directed to take appropriate decision in accordance with law.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Anil Kumar Upadhyay, J)

Shageer/-

U			
---	--	--	--

