

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1363 of 2022

Sanjeev Kumar S/o Ram Pravesh Sah Resident of Village - Ajamgarh, P.S. -
Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Sub- Divisional Officer, Sadar Sitamarhi.
4. The Block Supply Officer, Dumra, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Anisul Haque, AC to AAG 5

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 09-03-2022

Heard Mr. Dhananjaya Nath Tiwari, learned Advocate
for the petitioner and Mr. Anisul Haque, learned AC to AAG 5 for
the State.

The petitioner laments that despite his having replied to
the show-cause notice on 26.09.2020 after his license was
suspended under Section 28 of the Bihar Targeted P.D.S. (Control)
Order, 2016, no final order has been passed up till now and the
customers/consumers of his shop have been tagged to the another
PDS shop.

The final decision ought to have been taken within 180
days of the suspension of the license under Section 28 of the Bihar
Targeted P.D.S. (Control) Order, 2016 as far as possible.



That not having been done, we are of the view that the licensing authority has completely abdicated his functions under the Bihar Targeted P.D.S. (Control) Order, 2016.

Under the circumstances, we direct that the reply preferred by the petitioner be adverted to and a final order be passed positively within a period of 60 days. In case it is found that the petitioner ought to be heard, such opportunity shall be given to him because no decision has been taken for more than a year.

The licensing authority shall decide the issue and take a final decision within a period of 90 days from the date of receipt/production of a copy of this order.

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

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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