

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1750 of 2022

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Suresh Kumar Yadav Son of Prayag Yadav, Resident of Village-Pakra,
P.S.-Navgachhia, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Bhagalpur, District-Bhagalpur.
3. The Sub-Divisional Officer, Navgachhia, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Labh

For the Respondent/s : Mr. Bisambhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 25-02-2022 Heard the learned counsel for the parties.

The petitioner was a licensee from 2015 to 2019 but he did not make any effort for getting his licence renewed for the next two years. The petitioner was required to make an application for renewal of his licence within one month of the expiry of such licence. That not having been done, the petitioner was belatedly issued a show-cause notice dated 03.01.2022 for showing cause as to why his licence be not cancelled.



Mr. Labh, the learned counsel for the petitioner has submitted that pursuant to the aforesaid notice, he has replied in which he has stated that because of his ill health, he could not get his licence renewed for which he was extremely penitent and has prayed that after accepting requisite fee, the licence be renewed.

It has also been urged on behalf of the petitioner that the Department of Food and Civil Supplied has issued a general direction that such licensees who have not got their licence renewed be intimated that the last date for getting their licence renewed would be 30.11.2021 and if the same is not done, it would be deemed to have been cancelled and the supply would be stopped.

In any view of the matter, since show-cause notice has been issued to the petitioner to which he has replied, that must be adverted to and a final order be passed.

We, therefore, direct the Sub-Divisional Officer, Naugachia / Licensing Authority to pass a final order. In case, it is found that the licence of the petitioner ought not to be renewed for his not responding to the requirement



under the Bihar Targeted Public Distribution System (Control) Order, 2016 with respect to renewal of licences, necessary orders shall be passed.

If for any reason, the explanation of the petitioner is found to be acceptable then also, necessary sequel order shall be passed.

It is expected that the Licensing Authority shall take a final call in the matter within a period of 60 days from the date of receipt / production of a copy of this order by the petitioner.

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

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

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