

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1794 of 2022

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Ganesh Ram Son of Laxaman Ram, Resident of Farahingpur, Bahiyara, P.O.-
Narhi Chandi, Police Station-Koilwar, District-Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Old Secretariat, Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, Bhojpur at Arrah.
3. The District Supply Officer, Bhojpur, Arrah.
4. The Sub Divisional Officer cum Licensing Authority, Sadar, Arrah.
5. The Block Supply Officer, Koilwar, District-Bhojpur at Arrah.
6. The Assistant District Supply Officer, Sadar Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh

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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 02-03-2022 Heard Mr. Ravi Shankar Sahay, learned

Advocate for the petitioner and Mr. Upendra Pratap

Singh for the State.

The licence of the petitioner was suspended on

25.09.2017 under Section 28 of the Control Order of

2016 for the petitioner having been made accused in a

criminal case. No sequel action was taken thereafter and

the licence of the petitioner remained under suspension



for the last five years.

This is uncondonable.

Under Section 28 of the Control Order of 2016, after the suspension of licence, the licensee is required to be noticed and a final order is to be passed within a period of 180 days, as far as possible.

Five years have passed by and there is no explanation whatsoever. This writ petition also appears to have been filed on 01st of February, 2022. The petitioner also has not been cognizant of his rights under the Control Order of 2016. With respect to such inaction of the authorities, the petitioner ought to have approached the superior authority or the Court at earlier point of time.

Be that as it may, we express our absolute displeasure over the manner in which the authorities have been functioning under the Control Order of 2016.

We direct the Licensing Authority, under the aforesaid circumstances, to give notice to the petitioner



for his explanation and after hearing him and other stake holders, take a decision within a period of next sixty days as much time has already been wasted and the licence of the petitioner has remained under continued suspension.

The order is required to be a reasoned one and the same shall be furnished to the petitioner forthwith. This exercise shall begin from the date of presentation of a copy of this order within a period of three weeks.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

Sanjay/-

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