

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2213 of 2022

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Mahesh Prasad Singh, aged about 48 years, Male, Son of Jatadhari Singh,
Resident of Village - Bhavanipur, P.S. - Bheja Gobargarha Madhepur, District
- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. The District Magistrate, Madhubani, District - Madhubani.
3. The Sub-Divisional Officer, Jhanjharpur, District - Madhubani.
4. The Block Supply Officer, Block - Madhepur, District - Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Adv. Mr. Pranav Kumar Jha, Adv.
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 JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 02-03-2022

Heard Mr. Subodh Kumar Jha, learned counsel for the petitioner and Mr. Upendra Pratap Singh for the State.

Pursuant to the petitioner having been made accused in the criminal case involving the offence under the E.C. Act, his license was suspended. However, no sequel action was taken and the license of the petitioner has remained under continued suspension.

The license appears to have been suspended under Section 28 of the Bihar Targeted Public Distribution System (Control) Order, 2016, which reads as under:-

“28. Actions to be taken against a licensee after a FIR lodged. - If an FIR is lodged against a licensee under the Essential



commodities Act, 1955 or for any other criminal cases, and he is sent to jail or he goes fugitive, his license shall be suspended by the licensing authority with immediate effect, and after serving show cause notice upon him in accordance with Civil Procedure Code and giving him sufficient opportunity to present his case, a lawful action shall be taken within 180 days, as far as possible.”

We direct the Licensing Authority to issue notice to the petitioner forthwith and after receiving his explanation and affording him all opportunities to explain his cause, to pass a final order preferably within a period of 180 days as mandated under the Control Order of 2016. Needless to say, the aforesaid order shall be a reasoned order and shall be communicated to the petitioner forthwith. It is expected that there shall be no further delay in the matter as already a long time has elapsed. It is also made clear that this order would be implemented if no final order has been passed after issuance of the notice to the petitioner.

With the aforementioned observation and direction, this writ petition is disposed of.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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