

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3300 of 2022

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Rajesh Kumar @ Rajendra Singh S/o Late Ram Charitar Singh, resident of Village-Shital Bigha, Ward No. 27, P.S.- Daudnagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
2. The Commissioner Magadh Division, Gaya.
3. The District Magistrate-cum-Collector, Aurangabad.
4. The District Food and Civil Supply Officer, Aurangabad.
5. The Sub-Divisional Officer, Daudnagar, District-Aurangabad.
6. The Block Development Officer, Daudnagar, District-Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-06-2022

Heard Mr. Arvind Kumar Singh, learned advocate for the petitioner and Mr. Upendra Pratap Singh, learned advocate for the State.

The petitioner has challenged the order passed by the appellate authority whereby he has refused to interfere with the order of cancellation of license.

The petitioner had been a licensee of an earlier Control Order of 2001. However, his agreement to run the PDS shop was cancelled on his being appointed as a Ward Member. After the tenure of the Ward Member expired, the petitioner made suitable application for renewal of his license but, the same was kept pending for a very long



while. It was only rejected in the year 2011. Against the aforesaid order, the petitioner had approached the District Magistrate in appeal but to no avail.

It appears from the records that the petitioner had been a licensee of an earlier Control Order. Twenty-two years have passed by whereafter new Bihar Targeted Public Distribution (Control) Order, 2016 has come into existence. Rule 13 thereof does provide for renewal of the license but, that provision shall not be applicable to the case of the petitioner. Over the period of time, the vacancy must have been filled by some other applicant who cannot be ousted for the simple reason that the petitioner had, uptill now, been trying his best to get the license renewed after his term as an elected Ward Member expired.

There is no merit in this application.

The petition thus stands dismissed.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

