

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4147 of 2022

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Rama Baitha Son of Late Bishun Baitha, Resident of Village - Pachim Pakuhwa, Panchayat - Madhuri, P.S. - Mainatand, District - West Champaran, Battiah, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Range, Muzaffarpur.
4. The District Magistrate, West Champaran.
5. The Sub Divisional Officer, Narkatiaganj, West Champaran.
6. The Block Supply Officer, Mainatand.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. Mr. Alok Ranjan, AC to AAG 5

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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 : 21-06-2022

Heard Mr. Sanjeev Kumar Mishra, learned Advocate for the petitioner and Mr. Alok Ranjan, learned AC to AAG-5 for the State.

The petitioner laments that notwithstanding the order suspending his license to run the PDS shop way back on 18.07.2020, the proceedings have not yet been concluded.

Learned counsel for the State, however, has submitted that pursuant to the petitioner having been made accused in a



criminal case involving breach of the provisions of the E.C. Act, his license was suspended under Clause-28 of the *Bihar Targeted P.D.S. (Control) Order, 2016* and a notice also was served upon him to explain the circumstances under which he had been made accused in the criminal case.

There is nothing on record, it has been urged by the learned counsel for the State, to indicate whether such notice has been responded to by the petitioner. The learned counsel for the petitioner is also not certain whether such notice received by the petitioner has been responded to.

Be that as it may, nothing prevented the authorities from taking a final decision in the matter since the case is pending from 2020 onwards.

Under the aforesaid circumstances, we direct the licensing authority to pass a final order in this case within a period of 180 days positively. Needless to state that such order shall be passed only after obtaining the response of the petitioner with respect to the charges against him. The order shall provide reasons for the decision taken by the authorities.

This Court expects that the time-frame provided by this Court shall be maintained, failing which a serious view shall be taken.



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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2022
Transmission Date	

