

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4675 of 2022

Sarswati Devi W/o Sri Ram Narayan Yadav Resident of Ward No. 02,
Village-Kharaj, Post Chhachha Kheraj Dhuria, P.S. Keoti, Via Keoti Ranway,
District-Darbhanga, Pin-Code-847337.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. Additional Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Collector, Darbhanga.
4. The Licensing Officer-Cum-Sub-Divisional Officer, Sadar, Darbhanga.
5. The District Supply Officer, Darbhanga.
6. The Block Supply Officer, Keoti, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary, Adv.
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 23-06-2022 Heard Mr. Kaushalesh Chaudhary, the learned
counsel for the petitioner and Mr. Arvind Ujjwal, the learned
counsel for the State.

Mr. Chaudhary has drawn the attention of this Court to the fact that notwithstanding the petitioner having replied to the notice issued to him under clause 28 of the Bihar Targeted Public Distribution System (Control) Order, 2016, no final order has been passed till date.

The petitioner's license has been suspended under clause 28 of the Control Order, 2016 for his having become accused in a criminal case involving breach of provisions of Essential Commodities Act, 1955.

The requirement under the law is that a final decision is required to be taken within a period of 180 days of the suspension of license and issuance of notice to the licensee to explain the cause, as far as possible.

One and half years have passed by and there is nothing on record to indicate any reason for delayed conclusion of proceedings against the petitioner.

Under the aforesaid circumstances, we direct the Licensing Authority to take a decision on such explanation offered by the petitioner within a period of 90 days from the date of receipt / production of a copy of this order, positively.

Any breach in the timeline henceforth, shall be viewed adversely.

We need not remind the Licensing Authority to give reasons in support of the order so passed.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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