

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6090 of 2022

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Dhanjee Ram Son of Shiv Prasad Ram Resident of Village-Belaghat, P.O.-
Balua, P.S.-Ara Mufsil, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Secretary, Food and Civil Supply, Govt. of Bihar, Patna.
3. The District Magistrate, Bhojpur at Ara.
4. The Sub Divisional Officer Sadar, Ara.
5. The Supply Inspector, Ara, Town, Ara.
6. The Block Supply Officer, Sadar, Ara.
7. The Block Supply Officer Cum Incharge Block Supply Officer Udwant Nagar, Bhojpur.
8. Tarkeshwar Singh S/o Late Jai Ram Singh Resident of Village Mahuli, P.O. Mahuli. P.S. Ara Mufsil, District Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Munna Prasad Singh
For the Respondent/s : Mr. S. Raza Ahmad (Aag 5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

6 17-11-2022 Heard the learned counsel for the parties.

The license of respondent No. 8 was initially

cancelled and the explanation of the petitioner was not

found to be satisfactory.

However, such order of cancellation of license of

respondent No. 8 could not be sustained for the reason

that undue reliance was given by the Licensing Authority



to the report of the Block Supply Officer, whereas, he had to apply his independent mind on the materials placed before him for arriving at the decision.

The matter was remanded to the Licensing Authority, who after issuing a fresh notice and inquiry, restored the license to respondent no. 8.

This restoration of license to respondent No. 8 has aggrieved many of the consumers.

In this petition such complaint by consumers have been brought on record.

The petitioner is one of the consumers/beneficiaries attached to the shop of the respondent No. 8.

The petitioner may have some interest in the retention/rejection of license to respondent No. 8, but that does not give him sufficient locus to contest the order passed by the Licensing Authority restoring the license of the respondent No. 8.

After some arguments, Mr. Umesh Kumar Verma, the learned counsel for the petitioner seeks permission to withdraw this application in order to, if so advised,



approach the Secretary, Consumer Protection Department,
Government of Bihar, Patna for the needful.

The prayer is allowed.

The petition is dismissed as withdrawn.

Should such a complaint be filed, it is expected
that the Secretary of the Department shall look into the
matter as it is in the interest of the State that the Public
Distribution System works with robust vigilance, otherwise
the beneficiaries would not get the benefit for which the
Bihar Targeted Public Distribution System (Control) Order,
2016 has been enacted.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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