

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7273 of 2022

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Harendra Ram, aged about 51 years, male, S/o - Late Balchand Ram, R/o
Village - Hasua, P.S. - Nautan, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector-cum-District Magistrate, Siwan.
3. The Sub-Divisional Officer, Siwan.
4. The District Supply Officer, Siwan.
5. The Block Supply Officer, Siwan Sadar.
6. The Block Supply Officer, Jiradei.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the State : Mr. Upendra Pratap Singh, Adv.

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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 : 12-10-2022

Heard the learned counsel for the parties.

2. The petitioner, a licensee under the

P.D.S. scheme, has sought direction to the competent



authorities for reinstating the supply-line of food-grains to him to be distributed to the targeted beneficiaries.

3. We, on perusal of records, find that the petitioner was issued a show-cause notice to explain as to why his license be not cancelled and in the interregnum, the targeted beneficiaries of the shop of the petitioner were attached to other P.D.S. dealer.

4. In the show-cause notice served upon the petitioner, there is reference of irregularities found during the course of enquiry as also the fact that the petitioner was made accused in a criminal case involving breach of Essential Commodities Act, 1955.

5. From the counter affidavit, it appears that the aforesaid case is pending consideration before a competent Court.

6. Be that as it may, the license of the petitioner has neither been suspended nor cancelled till date despite his having replied to the show-cause notice served upon him.



7. We do not get any idea whether the proceeding against the petitioner has been initiated under Clause 28 of the Bihar Targeted Public Distribution System (Control) Order, 2016 or on finding irregularities in the conduct of the affairs of the P.D.S. shop for which license has been granted to the petitioner.

8. Be that as it may, we find from the records that the license of the petitioner has neither been suspended nor any final decision has been taken by the authorities.

9. Thus, the petitioner withdraws his prayer for reinstating the supply-line to be distributed to the targeted beneficiaries and insists that a direction be issued to the licensing authority to pass a final order on the show-cause reply given by him within a stipulated time frame.

10. Considering such a request of the petitioner to be logical, we direct the licensing authority



to pass a final order on the show-cause reply filed by the petitioner within a period of sixty days, to be counted from the date of receipt/production of a copy of this order before the licensing authority.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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