

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8078 of 2020

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Kuldeep Manjhi Son of Madan Manjhi, Resident of Village -Bhojpur, Village Panchayat-

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Block Supply Officer, Wazirganj, Dist.-Gaya.
4. The Block Supply Officer, Wazirganj, Dist.-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. Anishur Haque, AC to AAG-5

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

Date : 21-02-2022

Heard Mr. Binay Kumar, learned Advocate for the

petitioner and Mr. Anisur Haque for the State.

The petitioner has challenged the order dated

18.07.2018 contained in Memo No. 1001 by the Sub-

Divisional Officer, Sadar Gaya canceling his license to run

the PDS shop.

It has been urged on behalf of the petitioner that

the order is absolutely cryptic and does not state the



reasons for coming to the conclusion that there was a breach in the responsibilities of a PDS dealer.

On the contrary, learned Advocate for the State has drawn the attention of this Court to the fact that the petitioner has not availed of the alternative remedies of appeal and revision and has directly approached this Court and that also after two years.

He further submits that the finding of the licensing officer is that he did not keep the distribution register up-to-date and was also alleged to have realized higher price from his consumers than the fixed rate.

Not only this, the petitioner is also alleged to have refused to issue any cash memo after realizing the price of the subsidized goods.

The petitioner was given ample opportunity of representing his cause.

Be that as it may, this Court finds that except noting down the allegations against the petitioner, the findings are not very cogent.



We are therefore of the view that the petitioner be given an opportunity of challenging the order before the appellate authority.

This writ petition is disposed off with a direction that in case an appeal is preferred by the petitioner within a period of thirty days, the appellate authority shall take up the appeal and dispose it of by a reasoned order within the next two months.

Needless to state that we have not expressed any opinion on the merits of the case of the petitioner.

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

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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