

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16013 of 2021

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Rajkumar Singh Son of Govind Singh, Resident of Village-Madardih, Amethi,
P.S.-Wazirganj, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The S.D.O. Sadar Gaya.
3. The Block Supply Officer, Wazirganj, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Anand, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad (AAG-5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 21-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“That the present writ application is being filed for challenging the order dated 29.07.2020 passed by S.D.O. Sadar Gaya, fully contained in Memo No. 792 by which the license granted to the petitioner for carried out the business of a Public Distribution Shop in Panchayat Amethi was suspended with immediate effect on the sole ground that Wazirganj P.S. Case No. 320 of 2020 was lodged against the petitioner u/s 7 of the E.C. Act.”

It is submitted by learned counsel for the petitioner

that on account of institution of FIR, a show cause was issued to the petitioner on 29.07.2020 and on same day, his PDS license was suspended by the SDO cum Licensing Authority but till date no final order has been passed.

However, in view of Section 28 of the Bihar Targeted Public Distribution System (Control) Order, 2016 the licensing Authority cum SDO has to pass order on representation filed by the petitioner.

As such, the writ petition is disposed of with a direction to the petitioner to file representation before the SDO cum Licensing Authority, who shall pass appropriate order on such representation of the petitioner within 30 days from the date of receipt/production of a copy of the order passed by this Court.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	