

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 16872 of 2021

Subedar Paswan alias Subedar Ram Son of Bhagvat Paswan, Resident of
Village- Ward No.- 8, Medanpur, P.O.- Kanchanpur, P.S.- Sasaram (Muffasil),
District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Sub-Divisional Officer, Bikramganj, Rohtas.
4. The District Supply Officer, Rohtas at Sasaram.
5. The Block Supply Officer, Sasaram, Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Fakhruddin Ali Ahmad, Advocate

For the Respondent/s : Mr S Raza Ahmad, AAG V

CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

2 25-03-2022 This case has been taken up for online hearing through video-conference because of COVID 19 pandemic restrictions.

Heard learned counsel for the petitioner and the respondents.

Petitioner is a Public Distribution System (for brevity, *PDS*) dealer and holds licence to run PDS shop under Bihar



Targeted Public Distribution System (Control) Order, 2016. His licence has been suspended by an order dated 19.05.2020 by the Sub Divisional Officer -cum- Licensing Authority, Sasaram, subsequent to registration of a First Information Report against him. While suspending the petitioner's licence, the petitioner has, admittedly, been put to a notice asking explanation from him as to why action be not taken against him in accordance with law. The petitioner is said to have submitted his explanation on 14.07.2021 which, according to him, is still pending. It appears from Letter dated 22.02.2021 that a reminder was sent to the petitioner for submission of his explanation as he had failed to submit his explanation despite the notice dated 19.05.2020 whereby his licence was suspended.

Learned counsel appearing on behalf of the petitioner has submitted that till today, no decision has been taken on the explanation, submitted by the petitioner and the suspension of licence is still continuing.

Considering the facts and circumstances of the case, this application is disposed of with a direction to the Licensing Authority to take a decision on the petitioner's explanation, if the same has been filed and no order has been passed till date, within a period of six weeks from the date of receipt/production



of a copy of this order.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

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