

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.295 of 2022

=====

Tara Devi Wife of Late Mekhlal Mahto, resident of Ghormo, P.O.-Chakai,
Police Station-Chandramandih, Tola-Ghormo, Chakai, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Jamui.
3. The Sub-Divisional Officer, Jamui.
4. The Block Supply Officer, Chakai, Jamui.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate
For the Respondent/s : Mr. Anisul Haque, AC to AAG 5

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 24-02-2022

Heard Mr. Jharkhandi Upadhyay, learned Advocate for the petitioner and Mr. Anisul Haque, AC to AAG 5 for the State.

Pursuant to the lodging of an FIR against the petitioner, his licence was suspended and after issuance of show-cause notice to him, by order dated 09.10.2021, the licence of the petitioner has been cancelled.

The learned counsel for the petitioner has submitted that the same licencing authority had passed an order against another PDS dealer viz. Dilip Kumar Dubey,



which order could not be sustained before this Court and the order of cancellation was set aside.

We are afraid, this cannot be taken as a precedent.

Without adverting to the merits of this case, we direct that in case the petitioner prefers an appeal against the aforesaid order within a period of 30 days, that shall be taken up for consideration by the appellate authority and a reasoned order shall be passed within a further period of 60 days, as contemplated under the Bihar Targeted P.D.S. (Control) Order, 2016.

Needless to say that the appellate authority shall afford all opportunities to the petitioner to explain his cause.

The writ petition stands disposed off accordingly.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.03.2022
Transmission Date	NA

