

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9036 of 2017

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Ram Lal Bhagat Son of Late Jageshwar Prasad Bhagat, resident of Village-
Nayagaon, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Patna.
3. The Director, Food and Civil Supply Department, Government of Bihar,
Patna.
4. The District Magistrate-cum- Collector, Banka.
5. The Sub Divisional Officer-cum- Licensing Authority, Banka, District-
Banka.
6. The Block Supply Officer, Bounsi Block, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.
For the State : Mr. Ajay Kumar, AC to GP 4

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 18-03-2023 The petitioner challenged the order dated

28.04.2010, passed by respondent no. 5, namely the Sub

Divisional Officer, Banka in memo no. 115, whereby his license

for PDS dealership was cancelled. The petitioner also

challenged the order dated 05.08.2016, passed by respondent no.

4, namely the District Magistrate, Banka whereby appeal

preferred against the said was rejected.

Learned counsel for the petitioner submits that after
passing of the appellate order, the petitioner has preferred this



writ petition and the same has been pending for almost 6 years.

This Court finds that the P.D.S. dealership license of the petitioner was cancelled in the year 2010 and more than 13 years have passed by. In lieu thereof, at this stage, it would not be appropriate to examine the matter and by efflux of time, the present writ petition has rendered infructuous and no relief of renewing/restoring of license can be granted to him after 13 years of cancellation of license. However, it is made clear that the petitioner shall be always eligible to apply again for the PDS dealership, if he so chooses.

As such, with the above observations, the present writ petition is dismissed as having become infructuous by efflux of time with aforesaid liberty to the petitioner.

(Sanjeev Prakash Sharma, J)

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Item No. 32

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