

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13752 of 2017

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Shiv Shankar Mahto Son of Late Mutton Mahto, Resident of Village-
Gohario, Panchayat Agarpur, Block- Goradih, P.S.- Lodipur, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Food and Supply Department, Government of Bihar, Patna.
3. The Commissioner, Bhagalpur Division, Bhagalpur.
4. District Magistrate cum District Collector, Bhagalpur.
5. Sub-Divisional Officer S.D.O., Sadar, Bhagalpur.
6. District Supply Officer, Bhagalpur.
7. Block Supply Officer, Goradih, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Adv.
For the State : Mr. U.P. Singh, Ac to Sc4

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

ORAL ORDER

2 20-03-2023

1. Heard the parties.

2. The petitioner's licence was cancelled on certain allegations by the S.D.O. on 18.10.2014, against the same he preferred a revision directly to the Commissioner, Bhagalpur. The Collector after hearing the parties reached to the conclusion that there was no evidence which could be produced by the petitioner in support of his defence.

3. Having noticed all the aspects, he rejected his appeal. Therefore, he preferred revision petition before the



Commissioner. The Commissioner too has rejected the revision petition, as the petitioner was not present before him. Thereafter, he has preferred this writ petition in 2017. More than 9 years have passed since the cancellation of the petitioner's licence. After 9 years no purpose would be served in hearing the case on merits as by efflux of time, the licence ought to have been handed over to someone else or the same cannot be restored after so many years to the same person.

4. However, the petitioner shall be always free to apply afresh for the licence, which shall be considered on its own merits.

5. Granting the said liberty, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 8

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