

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11660 of 2017

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Rama Shankar Singh S/o Sri Nathuni Singh, Resident of Village- Kandh Gopi, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Saran Division, Chapra.
3. The Collect of Cum District Magistrate, Gopalganj at Gopalganj.
4. The Sub Divisional Officer, Hathua, District Gopalganj.
5. The Block Supply Officer, Hathua, District Gopalganj.
6. The Block Supply Inspector, Hathua, District Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Adv.
For the Respondent : Mr. U.P. Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 18-03-2023 The petitioner, by way of this writ petition, assailed the order dated 31.10.2016, (Annexure-3), passed by Respondent No.4, namely The Sub-Divisional Officer, Hathua, District-Gopalganj, whereby the license for the Public Distribution System Shop was cancelled and the order dated 16.05.2017 (Annexure-6), passed by Respondent No.3, namely The Collector-cum-District Magistrate, Gopalganj at Gopalganj, whereby his appeal preferred against the said order was rejected.

Learned counsel for the petitioner submits that the allegations levelled against it by the complainant were withdrawn and the SDO, Hathua was required to conduct his inquiry by taking his statement also. It is submitted that the behaviour of the appellant was very good with his consumers and a notice board



was hung at the business place. The petitioner had also raised all these objections in his appeal which were not examined by the Collector.

Per contra, learned counsel appearing for the respondent-State submits that the grounds raised by the petitioner were considered by the appellate authority and it reached to factual findings which do not require to be interfered with in the writ jurisdiction.

This Court, while sitting in writ jurisdiction, could only see whether there is a gross perversity in the order passed by the appellate authority or whether there has been dereliction of duty or jurisdictional error.

On all the three counts, based upon examining the impugned order filed there, the appellate authority has not only examined the contentions raised by the petitioner but has reached to independent findings and passed the impugned order. In view thereof, no interference is warranted. The writ petition is devoid of merit and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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