

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5372 of 2019**

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Ramashray Prasad Son of Narayan Roy R/o Village-Karjara, P.O. and P.S.-  
Silao, District-Nalanda ... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary Food and Supply Department, Govt. of Bihar, Patna
3. The District Magistrate Nalanda
4. The Sub Divisional Officer Rajgir, Nalanda
5. The District Co-operative Officer Nalanda
6. The District Supply Officer Nalanda
7. The Block Supply Officer Ben, Nalanda ... Respondents

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**Appearance :**

For the Petitioner : Mr.Kumar Rajeev, Adv.  
For the Respondents : Mr.Arvind Ujjwal (Sc4)

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**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

6      22-12-2023                      Heard the learned counsel for the parties.

2. Learned counsel for the petitioner has stated that the license of the petitioner has been cancelled on the ground that an FIR has been lodged against the petitioner. Counsel has stated that the Subdivisional Judicial Magistrate, Nalanda at Biharsharif, has acquitted the petitioner and, therefore, counsel has stated that the cancellation of the license of the petitioner is void, illegal and arbitrary.

3. Learned counsel appearing on behalf of the respondents has stated that the petitioner may submit a representation to the Subdivisional Officer, Nalanda at Biharsharif or file an appeal before the District Magistrate,



Nalanda at Biharsharif, ventilating the above facts to the notice of the District Magistrate and the District Magistrate shall pass orders in accordance with law.

4. Having regard to the above made submissions the petitioner is directed to file an appeal within a period of four weeks from the date of receipt of this order bringing to the notice of the appellate authority the acquittal by the Subdivisional Judicial Magistrate, Nalanda at Biharsharif, in G.R. No. 2793 of 2011/T.R. No. 847 of 2018, dated 21.06.2018. On such appeal being filed, the District Magistrate shall consider the appeal duly taking note of the fact that the petitioner has been acquitted in the criminal case which is basis for the license being cancelled.

5. The entire exercise shall be completed as expeditiously as possible preferably within a period of six weeks from the date of filing of the appeal by the petitioner. It is needless to mention that before passing any order the petitioner shall be granted an opportunity of hearing and adduce any evidence, if necessary. Any order passed shall be communicated to the petitioner.

6. With the above directions, this writ petition stands **disposed off**.

**(A. Abhishek Reddy , J)**

Shamshad/-

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