

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3526 of 2023

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Laxmi Yadav @ Lakshmi Yadav S/o Srikant Yadav, R/o Village - Ward No. 11, Mahapatia, P.S. - Bheja, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar Patna.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Jhanjharpur.
4. The Block Supply Officer, Madhepur, District - Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Chaturvedi, Adv.
For the Respondent/s : Mr. S. Raza Ahmad (Aag5)

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

6 17-07-2023 The present writ petition is filed for following
reliefs:-

I. For issuance of writ in the nature of certiorari for quashing the order dated 10.12.2022 passed in Supply Appeal Case No. 184 of 2022 by the District Magistrate, Madhubani whereby the appeal preferred by the petitioner against the order of cancellation of his PDs license has been rejected without assigning any cogent reason for his dissatisfaction of the same has been passed without any consideration and also without assigning any reason unjustified.

II. For issuance of writ in the nature of certiorari for quashing order dated 19.04.2021 issued vide memo nok. 94 dated



19.07.2021 passed by the Sub-Divisional Officer, Jhanjharpur whereby the license issued to the petitioner has been cancelled without supply the copy of enquiry report to the petitioner and without any consideration to the show cause reply and also without granting any opportunity of heard in complete violation of Principle of Natural Justice.

III. For issuance of writ in the nature of declaration holding that the entire process of cancellation of PDS license of petitioner is wholly illegal, arbitrary and without jurisdiction and has been taken in complete violation of Principle of Natural Justice and without assigning any reason and consideration of show cause reply.

IV. For issuance of writ in the nature of mandamus directing the respondent to restore the PDS license of the petitioner and resume the supply of food grains with immediate effect.

V. For any other relief/s to which the petitioner is found entitled to in facts and circumstances of the present case.

Without going into the merits or demerits of the case, having regard to the fact that the petitioner is having an alternate remedy of approaching the Divisional-Commissioner against the order of appeal passed by the District Magistrate, Madhubani, this writ petition is disposed of by granting liberty to the petitioner to approach the Divisional Commissioner



within a period of two weeks from today.

On such revision being filed, the same shall be disposed on its own merits within a period of two months thereof.

(A. Abhishek Reddy , J)

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