

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.930 of 2017

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Siya Ram Singh, Son of Late Laldeo Yadav, Resident of village - Jai Bigha,
Gram Panchayat Manjhosh, Block and Police Station Makhdumpur, District -
Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Jehanabad
3. The District Supply officer, Jehanabad
4. The Sub Divisional officer, Jehanabad, District Jehanabad
5. The Block Supply Officer, Makhdumpur, District - Jehanabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.
For the Respondent/s : Mr. Anisul Haque, Adv.

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

ORAL ORDER

3 20-03-2023 1. The petitioner has come before this Court challenging the orders of cancellation of his license vide Memo No. 1568 dated 30.05.2015 and the order passed in appeal bearing Supply Appeal Case No. 35/DM/2016 whereby, the order passed by the S.D.O. has been upheld vide order dated 14.09.2016.

2. Learned counsel for the petitioner submits that there was no complaint by any consumer with regard to the public distribution of ration and the cancellation is not on factual grounds. Learned counsel for the petitioner submits that the registers of his shop were lost and in this regard, a complaint



had been registered by him in the concerned police station.

3. I have considered the submission, perused the record, and heard the learned counsel for the respondents who has informed that in 2008 also the license of the petitioner was suspended whereafter, the inspection was done and a show-cause notice was issued to him but he did not reply. Again another inspection was conducted and a show-cause notice was issued to him to which he sought time to file his reply. Time was granted to him to file a reply whereafter he came up with the excuse of the registers having been lost.

4. Learned counsel for the respondents submits that the inspection reports reflect that the petitioner was indulged in black-marketing and had been wrongly mentioning the correct distribution. In fact, he was distributing less units of grains but was mentioning a much more number of units.

5. I have considered the submission perused the order impugned and found that grave allegations are found to have been proved by the concerned licensing authority against the petitioner who had mentioned of distribution of food articles of 1558 units whereas actually he had only distributed to 858 units and he was also found to have not been regularly opening the shop and also violating other conditions of license. Accordingly,



the license was cancelled. The appellate authority re-examined the entire case independently to that of the S.D.O. and reached the same conclusions, factual findings arrived at by both the S.D.O. and the appellate authority need not be interfered in writ jurisdiction. There is no illegality or perversity in reaching to the conclusions by the concerned authorities.

6. The writ petition is devoid of merits and is accordingly dismissed.

Suraj/-
Item No. 60

(Sanjeev Prakash Sharma, J)

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