

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8173 of 2016

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Lalan Mishra son of Late Sukru Mishra, Resident of village P.O.- Hasua,
Police Station- Jiradei, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissionr, Saran Division at Chapra.
3. The District Magistrate, Siwan.
4. The District Supply officer, Siwan.
5. The Sub Divisional Officer, Siwan.
6. The Assistant District Supply Officer, Siwan.
7. The Block Supply Officer, Jiradei, Distict-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh
For the Respondent : Mr. Birendra Prasad Singh, AC to SC-19

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

ORAL ORDER

3 20-03-2023 The petitioner challenged the order dated 30.06.2012, passed by respondent no. 5, namely the Sub-Divisional Officer, vide memo no. 186, whereby his licence for PDS dealership was cancelled. The petitioner also challenged the aforesaid order in Supply Appeal No. 56 of 2012 where his appeal was rejected by respondent no. 3, namely the District Magistrate, Siwan vide his order dated 22.12.2012, in pursuance of the aforesaid order of learned District Magistrate, Siwan petitioner again filed the Supply Revision Case no. 79 of 2013 which was again rejected by the respondent no. 2 namely



Divisional Commissioner vide his order dated 09.02.2016.

Learned counsel for the petitioner submits that after passing of the order, the petitioner has preferred this writ petition and the same has been pending for almost seven years.

This Court finds that the P.D.S. dealership license of the petitioner was cancelled in the year 2012 and more than ten years have passed by. In lieu thereof, at this stage, it would not be appropriate to examine the matter and by efflux of time, the present writ petition has rendered infructuous and no relief of renewing/restoring of license can be granted to him after 10 years of cancellation of license. However, it is made clear that the petitioner shall be always eligible to apply again for the PDS dealership, if he so chooses.

As such, with the above observations, the present writ petition is dismissed as having become infructuous by efflux of time with aforesaid liberty to the petitioner.

In view thereof, no interference is warranted. The writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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