

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9507 of 2023

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Rajmohan Ray S/O Dhup Sagar Ray, R/O Village- Takina, P.O.- Tedha, P.S.-
Marhaura, District- Saran at Chhapra ... Petitioner

Versus

1. The State of Bihar through Principal Secretary Food and Civil Supply Government of Bihar, Patna.
 2. The Principal Secretary, Food and Civil Supply, Bihar, Patna.
 3. The District Magistrate, Saran at Chhapra.
 4. The Sub-Divisional Officer, Marhaura, Saran at Chhapra.
 5. The Block Supply Officer, Marhaura, Saran at Chhapra.
 6. The S.H.O., Marhaura, Saran At Chhapra ... Respondents
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Appearance :

For the Petitioner : Mr.Rananjay Kumar, Adv.

For the Respondents : Mr.Md. Anisul Haque, AC to AAG V

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

7 21-12-2023

Heard the learned counsel for the parties.

2. The present writ petition has been filed for the following reliefs :

a. For directing and commanding the respondents authorities to restore the license and supply to the Fair Price shop of the petitioner, under Public Distribution system bearing License No. 32/2007, after declaring the order as contained in Memo No. 21976 dated 11.08.2010 not in existence (quashing the same), whereby and where under the PDS license of the petitioner was suspended, on the basis of institution of FIR bearing Marhaura P.S. Case no. 131/2010 for the offence punishable under Section 7 of the E.C. Act, as the petitioner has been acquitted from the charges vide order/judgment dated 06.10.2012 passed by learned SDJM, Saran at Chhapra.

b. For directing and commanding the respondent authorities to pass appropriated order disposing the representation filed on behalf of the petitioner, since



from the dated of acquittal from the criminal case petitioner is representing before the authorities, but authorities are sitting tight over the matter.

c. For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.

3. Learned counsel for the petitioner has stated that pursuant to the order of the Subdivisional Officer, Marhaura, Saran at Chapra, (Respondent No. 4), dated 19.09.2023, bearing Memo No. 2600, the license of the petitioner has been restored. So far as the confiscation of the material of the petitioner is concerned, though the District Collector vide order, dated 30.12.2012, has given an order directing the Respondent No. 4 to pay the amount which was realised from the sale of the confiscated grains has not been complied till date.

4. Learned counsel for the respondents has stated that the petitioner may be directed to give a representation to the Respondent No. 4 enclosing the copy of the order, dated 30.12.2012, and a direction may be given to the Respondent No. 4 to dispose off the said representation in accordance with law.

5. Having regard to the above submissions, the petitioner is directed to give a representation to the Respondent No. 4 along with the copy of the order, dated 30.12.2012, and also the order, dated 19.09.2023, bearing Memo No. 2600,



passed by the Subdivisional Officer within a period of two weeks from the date of receipt of a copy of this order. On such representation, made by the petitioner, the Respondent No. 4 shall consider the representation and pass order accordingly duly taking into consideration the orders passed by the District Magistrate, Saran at Chapra.

6. The entire exercise shall be completed within a period of four weeks from the date of the representation made by the petitioner.

7. With the above directions, the present writ petition stands **disposed off**.

(A. Abhishek Reddy , J)

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