

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15617 of 2016

=====

Santosh Kumar Ram, Son of Dina Nath Ram, Resident of Village-Bhitihara,
P.O.-Kukudha, P.S.-Itahi, District- Buxar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply Department,
New Secretariat, Patna.
2. The Secretary, Food & Civil Supply Department, New Secretariat, Patna.
3. The District Magistrate, Buxar.
4. The Sub-Divisional Magistrate, Sadar, Buxar.
5. The District Supply Officer, Buxar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raj Kamal, Advocate Mr. Sanjeet Kumar, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4 Mr. U.P. Singh, AC to SC-4

=====

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

ORAL ORDER

3 18-03-2023 The petitioner, by way of the present writ petition
prays for as under:-

*“1. That the present writ application is
being filed for quashing of the order contained
in memo no. 457 dated 08.08.2016, as far as to
relates to the petitioner, passed by the Sub
Divisional Officer Buxar, whereby and where
under the allotment of the Articles to the Public
Distribution shop of the petitioner, situated at
Block Itadi under panchayat Atrauna, District-
Buxar, has been stopped with immediate effect*



in the light of the automatic cancellation of his licence to run P.D.S. shop, for not being renewed within the time as stipulated in para 2.8 of Government of Bihar, Food, Supply & Commerce Department, Public Distribution System (Control) Order, 2001 Notification, G.S.R. No. 1 dated 20.02.2007.

2. That the petitioner further prays for a direction upon the concerned respondent to resume the allotment of articles to be distributed among the beneficiary as petitioner submitted the renewal fee vide challan dated 22.04.2015 which is within the time stipulated in the aforesaid notification but inadvertently could not deposit the late fine which was subsequently deposited vide challan dated 10.12.2015 and for any other relief/reliefs this Hon'ble Court may find fit and proper in the facts and circumstances of the case."

This Court finds that the licence of P.D.S. dealership of the petitioner was cancelled in the year 2015 and more than 7 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 licence can be granted to him after 7 years of cancellation of licence. 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.

(Sanjeev Prakash Sharma, J)

Amrendra/-
Item No. 9

U			
---	--	--	--

