

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7280 of 2017

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Md. Sahid Anjar S/o late Azimuddin, R/o Village-Handibhisha, Panchayat-Modho, P.S.-Kochadhaman, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Distt-Kishanganj.
3. The District Supply Officer, Distt-Kishanganj.
4. The Sub-Divisional Officer, Distt-Kishanganj
5. The Sub-Divisional Officer, Distt-Kishanganj
6. . null null

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Adv.
For the State : Mr. Ajay Kumar, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 18-03-2023

1. The petitioner by way of this writ petition assails the order of cancellation of license and the order passed in appeal by the District Collector, whereby his appeal against the cancellation of license has been rejected. The orders were passed on 08.12.2014 and 14.02.2017 respectively.

2. Learned counsel for the petitioner submits that there has been a complete non-application of mind by the appellate authority and in a mechanical fashion, he has passed an order. Learned counsel submits that the petitioner has not



committed any delinquency or violation of the rules governing the license and the license, therefore, could not have been withdrawn. Learned counsel appearing for the respondent supports the order and submits that there has been a due application of mind and each and every aspect has been duly considered both by the licensing authority as well as by the appellate authority.

3. I have considered the submissions. Perused the order passed in appeal dated 14.02.2017, this Court finds that the appellate authority has not only noticed the allegations against the petitioner but also his defence and after having considered all the pros and cons, reached to the conclusion that the order of withdrawal of license was in accordance with law and on the basis of factual aspects of the petitioner had violated conditions of license. There are allegations which have been found to be proved of the petitioner releasing relief amount on one card more than two to three times and there are as many as eighteen such instances. It is also noticed that there has been forgery committed while making entries in the register and cash memos were also not signed and given to the consumers. An amount of Rs. 1 per kg. was taken extra from the consumers over and above the fixed price and 1 kg. of food articles was



less than the required for each unit. The allegations are of a very serious nature and have been found to be proved both at the initial stage as well as the appellate stage.

4. No interference is warranted on factual aspects. The writ petition is devoid of merits and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item No. 25

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