

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.714 of 2023

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Raj Kumar Paswan, Son of Late Shivan Paswan, Resident of Village-
Maksudpur, P.S.- Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Food and Civil Supply Department
Govt. of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Nalanda at Bihar Sharif.
4. The District Public Grievance Redressal Officer, Nalanda.
5. The Sub Divisional Officer, Bihar Sharif, Nalanda.
6. The District Supply Officer, Nalanda at Bihar Sharif.
7. The District Welfare Officer, Nalanda at Bihar Sharif.
8. The Block Supply Officer, Bihar Sharif, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Prasad, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4
		Mr. U.P. Singh, AC to SC-4

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

ORAL JUDGMENT

Date : 27-03-2023

Heard learned counsel for the parties.

The petitioner's licence was cancelled vide order dated 28.10.2014 (Annexure-3), passed by respondent no. 5, the Sub-Divisional Officer, Bihar Sharif, Nalanda, in Memo No. 1220. Subsequently, against the said order, the petitioner preferred an appeal, which was also rejected vide order dated 28.01.2015 (Annexure-4), passed by respondent no.3, the District Magistrate, Nalanda in Supply Case No. 11 of 2014.



Against the order of the appellate authority, the petitioner approached this Court in CWJC No. 4036 of 2015 (Rajkumar Paswan Vs. the State of Bihar & Ors.) and this Court, vide order dated 04.04.2017 directed the petitioner to file a revision petition. The revision petition was partly allowed and the matter was remanded back to the concerned authority to again consider the submissions of the petitioner and the concerned authority reached to the same conclusion and found the cancellation order to be in accordance with law, whereafter the petitioner filed an application before the District Public Grievance Redressal Officer, Nalanda, who has considered the submissions independently and found that the order of cancellation was passed after examining all the aspects and does not warrant any interference.

Learned counsel for the petitioner submits that the grounds of cancellation were untenable and the petitioner's licence deserves to be restored.

This Court has considered the submissions. While this Court finds that there are cogent reasons given out in decision taken by the authorities, it is also noticed that the licence of the petitioner was cancelled way back in the year 2014 and more than nine years have passed by. Hence, no purpose would be



served in restoring the licence after nine years. The petitioner would always be free to apply afresh upon the same being advertised by the State.

In view of the settled law that no right is created in favour of a licensee, the writ petition is accordingly dismissed with aforesaid liberty to the petitioner.

(Sanjeev Prakash Sharma, J)

Amrendra/-
Item No. 28

AFR/NAFR	
CAV DATE	
Uploading Date	29.03.2023
Transmission Date	

