

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2238 of 2024

Makhdumpur PACS through its Chairman Vibhuti Narayan Singh, aged about 77 years, Gender- Male, Son of Late Pramanand Singh @ Parmanand Singh, resident of Village - Pandeypur, P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Danapur.
4. The District Supply Officer, Bihta.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.
For the Respondent/s : Mr. Government Pleader (17)

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

2 03-04-2024 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“That the present application is being filed for issuance of appropriate writ rule, or direction commanding upon the respondent authorities for quashing of the order contained in Memo No.471 dated 08.06.2023 passed by the Sub-Divisional Magistrate, Danapur as contained in Annexure-P-6 whereby and where under the Public Distribution System (P.D.S.) License No.80 of 2016 of the petitioner has been suspended in exercise of the power conferred under



column 27(i) of the Bihar Targeted Public Distribution System (Control) order 2016 on erroneous ground.

And

Also for restoring the PDS License No.80/2016 and thereby allowing the petitioner to run its PDS shop situated in the village Pandeypur under Block Bihta, Grampanchayat Raj Makhdumpur under the jurisdiction of Bihar Police Station, Patna.”

3. Learned counsel for the petitioner has stated that the license of the petitioner has been suspended on the ground that on the date of the inspection by the authority concerned, the shop of the petitioner was found closed. Learned counsel has stated that thereafter the petitioner has been issued a show cause notice for which the petitioner has already submitted his explanation but till date the authorities have not passed any final orders. Learned counsel has relied on the judgment of this Hon'ble Court passed in C.W.J.C. No. 10649 of 2023 dated 18.10.2023 to buttress his contention.

4. Learned counsel appearing on behalf of the respondents has stated that the authority may be directed to pass necessary orders on the explanation submitted by the petitioner.

5. Having regard to the above made submissions,



the present writ petition stands disposed of directing the Sub-Divisional Officer, Danapur to dispose of the case pending before him pertaining to P.D.S. License No. 80 of 2016 as expeditiously as possible preferably within a period of four weeks from today, if not already disposed of.

6. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing. The authority concerned shall duly take into consideration the judgment of this Hon'ble Court passed in C.W.J.C. No. 10649 of 2023 dated 18.10.2023 and also the explanation submitted by the petitioner while passing the final order. Any order passed shall be communicated to the party.

(A. Abhishek Reddy , J)

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