

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23330 of 2018

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Jagdish Chandra Prasad S/o Laxman Ram Resident of Village Dhanawan, P.S-
Jamhore District - Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Food and Civil Supplies Department,
Old Secretariat, Patna
2. The District Magistrate, Aurangabad, District - Aurangabad.
3. District Supply Officer, Aurangabad, District - Aurangabad.
4. The Sub- Divisional Officer, Daudnagar, District - Aurangabad.
5. The Block Supply Officer, Obra, District - Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha
For the Respondent/s : Mr.Arvind Ujjwal -Sc4

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

- 3 22-10-2024 1. The Writ Petition is filed for quashing the

order dated 15.09.2018 passed in PDS Appeal Case No.

01 of 2017 by the District Magistrate, Aurangabad

wherein the District Magistrate dismissed the appeal

confirming the order dated 04.12.2015 vide letter No.

597/Supply, passed by the Sub-Divisional Officer,

Daudnagar, Aurangabad who refused to renew the

license of the Public Distribution System (hereinafter

referred to as 'PDS') Shop of the petitioner granted in

the year 1992 vide License No. 01/0/1992. Further,



relief sought is to direct the respondent authorities to renew the PDS license of the petitioner vide License No. 01/1992, who is physically disabled and belongs to most poor class.

2. The said Writ Petition is filed in the year 2018. I.A. No. 01/2022 is filed on behalf of the petitioner for fixing early date of hearing. I.A. No. 02 of 2022 was filed to substitute the legal heirs of the petitioner Jagdish Chandra Prasad who died on 25.09.2022 during the pendency of the Writ Petition leaving behind his wife Dewanti Devi, one son and two daughters.

3. Admittedly, the Writ petition is filed to renew the license of the petitioner Jagdish Chandra Prasad. There are separate provisions under the Essential Commodities Act for seeking compassionate appointment of PDS License in case the licensee dies. The cause of action do not survive in this matter so as to bring the legal heirs on record.

4. Therefore, the Writ Petition is liable to be



dismissed. However the legal heirs are at liberty to approach the concerned authorities, if they intend to do so.

5. With the above said observation, the writ petition is dismissed.

6. Interlocutory Application(s), if any, shall stand closed.

(G. Anupama Chakravarthy, J)

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