

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9666 of 2022

=====

Saheb Kumar Yadav @ Saheb Yadav S/o Naresh Prasad Yadav, R/O-
Narayanpur, P.O - Narayanpur, District- Bhagalpur, presently Elected
Chairman Nagarpara North, PACS.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary Food and Civil Supply
Government of Bihar, Patna.
2. The Principal Secretary Food and Civil Supply, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The District Supply Officer, Bhagalpur.
5. The Sub-divisional Officer, Naugachia, District- Bhagalpur.
6. The Circle Officer-cum-Block Development Officer, Narayanpur, District-
Bhagalpur.

... .. Respondents

=====

Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate
For the Respondents : Mr. S. Raza Ahmad (AAG 5)

=====

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

5 02-02-2024 Learned counsel appearing on behalf of the petitioner

has stated that the license of the PACS has been cancelled in

arbitrary manner without issuing any show-cause notice or

calling any explanation. Based on the report of the District

Supply Officer, Bhagalpur, the Sub-divisional Officer,

Bhagalpur has cancelled the license of the PACS. The petitioner

has thereafter given a representation ventilating his grievance to

the District Magistrate, but, the District Magistrate has not taken

any action on the said representation. Learned counsel has stated

that the license of the PACS cannot be cancelled and the same is

perennial one. That the petitioner is an elected Chairman of the



PACS and therefore, prays this Hon'ble Court to set aside the order of the cancellation.

2. The learned counsel appearing on behalf of the respondents has stated that a direction may be given to District Magistrate to dispose of the representation made by the petitioner, duly taking into account the above mentioned facts.

3. Having regard to the above mentioned facts, without going into the merits or demerits of the case and also the fact that the petitioner has already made a representation to the District Magistrate (Annexure-5), the present CWJC is disposed of directing the District Magistrate to dispose of the representation made by the petitioner as expeditiously as possible, preferably within a period of four weeks from the date of receipt of the copy of this order.

4. It is needless to mention that District Magistrate shall take into consideration the settled proposition of law that the license of the PACS cannot be cancelled, more so, without giving any show-cause notice to the office bearers, the said PACS.

5. The writ petition is accordingly disposed of.

(A. Abhishek Reddy , J)

Shanu/-

U			
---	--	--	--

