

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14404 of 2022

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Shyam Sundar Prasad Son of Lala Prasad Verma, Resident of village -
Koriyawan, P.S. - Belaganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Gaya.
3. The S.D.O, Sadar, Gaya.
4. The Block Supply Officer, Belaganj, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

2 07-02-2024 Heard the learned counsel for the parties.

1. The present writ petition has been filed for the quashing of the order dated 02.09.2021, passed by the Sub-Divisional Officer, Sadar Gaya whereby and where under the license of the petitioner bearing License No. 23/2019 has been suspended.

2. The short point raised by the petitioner for consideration in the present writ petition is that as per rule 28 of Bihar Targeted Public Distribution System (Control) Order, 2016, the period of suspension cannot survive beyond the period of 180 days and during the said period of 180 days of suspension of the license, a final order has to be passed but the



same has not been passed in the present case, hence the order vitiated in the eyes of law.

5. Having regard to the facts and circumstances of the case and considering the provisions contained in Rule 28 of Bihar Targeted Public Distributed System (Control) Order, 2016, this Court finds that the period of suspension of the PDS license of the petitioner has exceeded a period of 180 days, however no final decision has been taken and secondly, the petitioner has already been granted the regular bail, the impugned order dated 02.09.2021, stands vitiated in the eyes of law, thus is quashed.

6. The writ petition stands allowed.

(A. Abhishek Reddy, J)

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