

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1792 of 2023

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Rajiv Kumar Rana, Son of Sudhir Chandra Singh, Resident of Village-Saidpur, P.S.-Gopalganj, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Bhagalpur
3. The Sub Divisional Officer, Navagachhiya, Bhagalpur.
4. The Block Supply Officer, Gopalpur, Bhaglpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Rajdeep, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (SC 4)

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

5 29-01-2024 Heard the parties.

2. The present writ petition is filed for the following relief(s):-

“(i). for quashing the Order dated 02.05.2022 passed in Supply Appeal No. 332/2021-22 by the District Magistrate, Bhagalpur and also the order dated 22.12.2021 passed by the SDO, Navgachhiya, Bhagalpur whereby and where under the Public Distribution License of the Petitioner bearing License No.41/2018 has been cancelled -on totally non-est and erroneous grounds in completely in a mechanical manner without even considering the reply of the petitioner which is the complete violation of Principle of Natural Justice.

(ii) For holding and declaring the Order dated 02.11.2022 passed by the District



Magistrate, Bhagalpur, and also the order dated 22.12.2021 (Annexure-) passed by the SDO, Navgachhiya Bhagalpur liable to be set-aside as same has been passed in violation of principles of Natural Justice, inasmuch as the Impugned Order has been passed without considering the facts and circumstances of the case”.

3. Without going into the merits or demerits of the case, having regard to the facts that the petitioner has an alternative and effective remedy of filing a representation before the Principal Secretary, **under Rule 32(vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016** against the impugned order. The present writ petition is disposed of granting liberty to the petitioner to file a representation before the Principal Secretary challenging the orders of the Revisional Appellate Authority and the order of cancellation of PDS license withing a period of six weeks from today. On such representation being made, the Principal Secretary shall pass necessary orders strictly in accordance with law.

4. It is needless to mention that before passing any order, the petitioner shall be put on notice and given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possibly preferably within a period of six weeks from the date of receipt of the representation. Any order



passed shall be communicated to the parties.

5. With the aforesaid observations, the present writ
petition stands disposed off.

(A. Abhishek Reddy , J)

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