

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.57 of 2020

In
Civil Writ Jurisdiction Case No.10131 of 2015

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Binod Kumar Son of Late Ambika Prasad Singh, Resident of Village- Ratai,
P.S-Roh, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar at Patna.
3. The Commissioner, Magadh Pramandal, Gaya.
4. The District Magistrate, Nawada.
5. The Sub-Divisional Officer, Rajauli, Nawada.
6. The Incharge Sub-Divisional Officer, Rajauli, Nawada.
7. The District Supply Officer, Nawada.
8. The Block Supply Inspector, Roh, Nawada.
9. The Block Supply Officer, Roh, Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Ms. Diksha Kumari, Adv.
For the Opposite Party/s	:	Mr. S. Raza Ahmad (Aag 5)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-06-2025 Heard Mr. N.K. Agrawal, learned Senior Counsel for

the petitioner duly assisted by Ms. Diksha Kumari and Mr.

Vishwambhar Prasad representing the State.

2. The present writ petition has been preferred:

*to review the order dated 29.10.2018
passed in C.W.J.C. No. 10131 of 2015, by
Hon'ble Mr. Justice Vikash Jain.*

3. The petitioner was holding a P.D.S. shop in the district
of Nawada and was aggrieved by the memo no. 114 dated
11.01.2012 passed by the Sub-Divisional Officer, Rajouli by which



license of his P.D.S. shop was canceled. He was also aggrieved by the other orders of the respondent authorities, the Appeal No. 187 (M) 12/60(M) 2013 which came to be dismissed by the District Magistrate, Nawada as also the Supply Revision Case No. 128/2013 by which the revision was dismissed by the Commissioner, Magadh Division, Gaya.

4. The matter was taken up by the Writ Court (Hon'ble Mr. Justice Vikash Jain as his lordship then was) on 29.10.2018 and taking note of the facts of the case, the writ petition was dismissed.

5. Aggrieved, LPA No. 1668 of 2018 was preferred which was withdrawn on 21.01.2020 with liberty to file review.

6. This followed the present petition.

7. Learned Senior Counsel submits that the reply preferred by the petitioner was not taken into account while passing the order and as such, it needs interference.

8. Learned State Counsel on the other hand has taken this Court to the order dated 24.12.2024, the reasoned order passed by the Commissioner, Magadh Division, Gaya in Supply Revision Case No. 128 of 2013 (Binod Kumar Vs. State of Bihar) dated 11.12.2014 in which the entire facts have been narrated recording that between 29.12.2011 to 30.12.2011; he was to distribute half liter kerosene oil to all the surveyed family. It was not done and an alibi was taken that the same was complied and the register was



submitted in the office whereas all the officers denied presentation of any such register. Further, on the date of inspection, his shop was closed and an alibi was taken that he went to a Doctor annexing prescription. The authorities recorded that the board outside the shop was blank and nothing as such was recorded.

9. In that background, the Commissioner came to the conclusion that the original order passed by the SDO dismissing the appeal needs no revisitation.

10. Aggrieved, the writ petition was filed which as recorded stands dismissed followed by the appeal which too was withdrawn.

11. The matter is of the year 2012. Reasoned order has been passed and affirmed by the District Magistrate, Nawada as also by the Divisional Commissioner, Gaya. This Court has perused the reason and the order of the Writ Court. This Court is of the opinion that the dust needs to settle in the matter.

12. The review petition is dismissed.

(Rajiv Roy, J)

Vijay Singh/-

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