

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5346 of 2025

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Sushma kumari Wife of Rajiv Kumar, Resident of Village- Piprahi, P.O. and
P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The Collector-cum-District Magistrate, Gaya.
4. The Additional Collector, Gaya.
5. The Sub-Divisional Officer, Sherghati, District- Gaya.
6. The Block Supply Officer, Gurua, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Respondent/s : Mr. Standing Counsel (25)

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

2 09-07-2025 1. The present writ petition has been filed for the quashing of the order dated 14.06.2024, passed by the Sub-Divisional Officer-cum-licensing authority, Sherghati, Gaya whereby and whereunder the license of the petitioner bearing License No. 03/2019 has been suspended.

2. The short point raised by the petitioner for consideration is that as per rule 28 of Bihar Targeted Public Distribution System (Control) Order, 2016, the period of suspension cannot survive beyond a 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 dated 14.06.2024 stands



vitiated in the eyes of law.

3. The learned counsel for the respondent-State submits that in case, it transpires subsequently that the final order has already been passed in the present case, liberty be granted to the respondents to move this Court for the purposes of modification/ recall of the order being passed today.

4. Liberty so sought, is granted.

5. Having regard to the facts and circumstances of the case and considering the provisions contained in Rule 28 of Bihar Targeted Public Distribution System (Control) Order, 2016, this Court finds that the period of suspension of the P.D.S. license of the petitioner has exceeded a period of 180 days, however no final decision has been taken. Further, the petitioner is not a fugitive nor he has been sent to jail, hence, the impugned order dated 14.06.2024, stands vitiated in the eyes of law, thus is quashed.

6. The writ petition stands allowed.

(A. Abhishek Reddy, J)

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