

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6646 of 2019

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Sikandar Paswan @ Sikendar Paswan Son of Late Gena Paswan Resident of
Village Babhangama, P.S. Bihpur, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The District Magistrate-cum-Collector Bhagalpur
3. The District Supply Officer, Bhagalpur
4. The Sub-Divisional Officer-cum Licensing Authority Naugachia, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Pandey
For the Respondent/s : Mr.S. Raza Ahamd (AAG-5)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 26-09-2025

1. The writ petition is filed for the following
reliefs:-

“For issuance of an appropriate
writ/ writs, order /orders,
direction/directions in the natures of
mandamus for direction to the concerned
Respondents for grant the license of
P.D.S. in favour of the petitioner, because
there is no illegality or irregularity
surfaced under the Bihar Trade articles
(license unification order 1984) by the
petitioner and further for any other
appropriate relief or reliefs for which the



petitioner is entitled in the facts and circumstances of the case.”

2. The brief facts as culled out of the writ petition are that the petitioner was granted Licence No. 41/93 for operating a Public Distribution System (PDS) shop in Village-Bavangama, Bihpur, District-Bhagalpur. The petitioner claims to have conducted distribution activities without any blemish or complaint. However, based on a complaint, the PDS shop of the petitioner was inspected by the Supply Inspector, Bihpur, who allegedly found certain irregularities. Consequently, a show-cause notice vide Letter No. 504 dated 21.10.1999 was issued to the petitioner for which the petitioner submitted a detailed reply. Without considering the show-cause reply, the 4th respondent suspended the petitioner's licence. Subsequently, an FIR was registered against the petitioner in Bihpur P.S. Case No. 171 of 1999 under Section 7 of the Essential Commodities Act. The petitioner faced trial in G.R. No. 599/1999/T.R. No. 11/2017 before the Sub-Divisional Judicial Magistrate, Naugachia, who ultimately acquitted the



petitioner. Thereafter, the petitioner submitted a representation to the 4th respondent for issuance of the PDS licence in his favour. However, no action was taken by the authorities in response to the said representation. Being aggrieved by the same, the petitioner was constrained to approach this Court by way of the present writ petition.

3. Heard the Learned counsel for the petitioner and the Learned counsel for the respondents. Perused the materials on record.

4. The Learned counsel for the respondents submitted that the alleged representation was filed in the year 2017, and he has no specific instructions as to whether the said representation is still pending or not. However, he submitted that the petitioner may be directed to file a fresh representation, which the competent authority shall consider in accordance with law.

5. Taking into consideration the fact that the representation is of the year 2017, this Court deems it appropriate to direct the petitioner to submit a fresh representation before the 4th respondent,



raising all his pleas, within a period of one month from the date of receipt of a copy of this order. In turn, the 4th respondent is directed to consider the same and pass appropriate orders in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of three months from the date of filing of such representation.

6. With the abovesaid observation and direction, the writ petition shall stand disposed of.

(G. Anupama Chakravarthy, J)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.09.2025
Transmission Date	

