

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.698 of 2023

In

Civil Writ Jurisdiction Case No.1186 of 2023

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Bhikhar Singh, Son of Late Sukhdeo Singh, Resident of Village- Dindir
(Dilawarpur) P.S.- Haspura, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar through Additional Chief Secretary Food and Civil Supply, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Aurangabad.
4. The Sub-Divisional Officer, Daud Nagar, District- Aurangabad.
5. Block Supply Officer, Haspura, District- Aurangabad.
6. Circle Officer, Haspura, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Nandan Prasad, Adv.
For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 07-07-2025

Re. I.A. No. 01 of 2023 in L.P.A. No. 698

of 2023 :

The aforesaid interlocutory application has been filed seeking condonation of delay of seven days in preferring this letters patent appeal.

2. For the reasons stated in the application,



the delay of seven days in preferring this appeal is, hereby, condoned.

3. I.A. No. 01 of 2023 stands allowed.

Re. L.P.A. No. 698 of 2023 :

4. Heard the learned counsel for the parties.

5. The appellant was a licensee under the Bihar Targeted Public Distribution System (Control) Order, 2016 (in short the *Order of 2016*).

6. On local inspection, the appellant was found to be absent. Later, a proposal was made for cancellation of his license. The license was cancelled and all remedies available to the appellant were also availed of, but it did not find favour with authorities concerned.

7. The learned Single Judge, while dealing with the case, found that the appellant had not filed any reply to the show-cause notice and, therefore, it was not possible for the writ-Court to deduce the reasons for the licensee not being present at the time of inspection.

8. That apart, with the mandate under the



Order of 2016, somebody else would have by now been given the license for the local population.

9. However, if the license has not yet been given to any one, the appellant may apply for the same, provided it would be open for him under the rules.

10. Otherwise, we do not consider it to be a fit case for interference.

11. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Praveen-II/-

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