

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13336 of 2018

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Dilkeshwar Ram S/o Late Jatu Ram, resident of Village- Runiya, P.O. Beri,
P.S.- Salaiya, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna
2. The Sub Divisional Officer, Aurangabad.
3. The Block Supply Officer, Madanpur, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s N.K.Agarwal, Sr. Advocate Bishwajeet Pandey, Kumar Rajdeep, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad- AAG 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 07-05-2025

1. Heard the Learned Senior counsel for the petitioner Mr. N.K.Agarwal, and the Learned counsel for the State.

2. The petitioner has filed the Writ petition for the following reliefs:

“(i) That the present writ application is being for setting aside the order dated 25.05.2018, by which the Learned Collector, Aurangabad, was pleasec to dismiss the appeal bearing P.D.S. Appeal Case No. 16/2017 filed by the petitioner assailing the order dated



17.05.2017 in Supply Case No. 19/2017 contained in memo no. 1783 passed by learned Sub Divisional Officer, Aurangabad by which the learned Sub Divisional Officer, was pleased to cancel the P.D.S. License of the petitioner to carry on trade as an P.D.S. Dealer.”

3. At the outset, the Learned Senior counsel for the petitioner contends that this matter is squarely covered under the judgment dated 10.07.2018 passed by a Division Bench of this Court in **L.P.A. No. 499 of 2018 (Ram Bachan Ram Versus The State of Bihar & Ors.)**. Therefore, it is prayed that this Writ petition may be disposed of on the same terms and conditions.

4. In view of the fact that this matter is squarely covered by the aforesaid judgment, the Writ petition is allowed in light of the judgment passed in **L.P.A. No. 499 of 2018 (supra)** and, accordingly, the impugned order dated 17.05.2017 passed in Supply Case No. 19/2017 (Annexure-3) and order dated 25.05.2018 passed in P.D.S. Appeal No. 16/2017 (Annexure-4) and are, hereby,



quashed. The respondent No. 2 is directed to restore the licence and to restore the supplies to the petitioner without delay.

5. The Writ petition stands allowed. However, liberty shall be available to the respondents to take appropriate action afresh, in accordance with law, if so advised.

6. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.05.2025
Transmission Date	

