

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14566 of 2024

1. Ram Kumar Choudhary S/o Late Tej Narayan Choudhary, Resident of Nayatola urf Hamidpur- Madhepura, Nayatola, P.S- Puraini Bihar, 852116.
2. Raj Kishor Choudhary, S/o Resident of Ward No.- 06, Basudevpur Madhepura, Purani Bazar, P.S- Puraini Bihar, 852116.
3. Arun Kumar, S/o Shivanand Sharma, Resident of Basudevpur Madhepura, P.S- Puraini Bihar, 852116.
4. Vimal Kumar Ram, S/o Kameshwarn Ram, Resident of Ward No- 13, Madhepura, P.S- Puraini Bihar, 852116.
5. Rita Devi, W/o Rudo Rishidev, Resident of Ward No-04, Temabhela / Temabhelwa, Madhepura, P.S- Gwalpara Bihar, 852115.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Food and Civil Supply Government of Bihar, New Secretariat, Patna.
2. The Secretary, Food and Civil Supply, Government of Bihar, New Secretariat, Patna.
3. The Divisional Commissioner, Saharsa.
4. The District Magistrate, Madhepura.
5. The Sub Divisional Officer, Udakishunganj, Madhepura.
6. The Block Supply Officer, Puraini Udakishunganj, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Adv.
	:	Ms. Manini Jaiswal, Adv.
	:	Ms. Adya Pandey, Adv.
For the Respondent/s	:	Mr. Md. Raisul Haque, Sc10

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 01-11-2025

1. Heard the parties.

2. The petitioners have filed the present writ application being aggrieved by a show cause issued by the respondent/authorities including the licensing authority i.e., S.D.O., Udakishunganj, dated 27.12.2024 by which the petitioners were directed to submit reply of the show cause. The



show cause has been issued on basis of inspection of the PDS shop done by the authorities in which the authorities have found the shortage of food grains in the godown as per the e-pos machine.

3. Mr. Sanjeev Kumar Mishra, learned senior counsel for the petitioners, submits that though the petitioners have filed the reply but at the same time they have also filed a representation before Principal Secretary, District Magistrate and the licensing authority regarding the malfunctioning of the e-pos machine which reflects the wrong data of the food grains as would be evident from Annexure P/4 to the writ petition.

4. Therefore, his argument is that the Principal Secretary may be directed to verify the discrepancy/malfunctioning of the e-pos machine before petitioners reply to the show cause is considered by the licensing authority i.e., S.D.O., Udakishunganj.

5. His alternative argument is that the petitioners may be permitted to file a fresh reply to the licensing authority raising the issues which the petitioners have raised in their representation filed before the Principal Secretary and the licensing authority be directed to consider the fresh reply filed by the petitioners. This would suffice the ends of justice.



6. Learned counsel for the State submits that upon physical inspection shortage of food grains were found in the godown and the FIRs have been filed against the petitioners also for indulging in black marketing.

7. Considering the fact that the petitioners have filed the present writ application against the show cause and further that the matter is pending still at the stage of show cause, liberty is given to the petitioners to file a fresh reply to the show cause before the licensing authority within a period of four weeks taking all the points which the petitioners have taken in their representation filed before the Principal Secretary and other officials. If the show cause of the petitioners is filed within the aforesaid time, the licensing authority i.e., S.D.O., Udakishunganj, shall consider the same in accordance with law and shall pass final order within a period of three months from the date of filing of show cause by the petitioners.

8. With the aforesaid direction and observation, the present writ application is disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

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