

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1242 of 2023

Subhash Kumar Singh, Son of Late Subhnarayan Singh, Resident of Village-Sherpur under Agahara Panchayat, P.S.- Marhaura, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Saran.
3. The Sub Divisional Officer, Madhaura, Saran.
4. The Block Supply Officer, Block, Marhaura, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Senior Advocate with
Mr. Kumar Rajdeep, Advocate.
Ms. Diksha Kumari, Advocate.

For the Respondent/s : Mr. S. Raza Ahmad (AAG 5).

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

4 24-07-2025 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“For issuance of a writ in the nature of Certiorari for quashing the order dated 19.01.2022 (Annexure-1) passed by the SDO, Marhaura, Saran whereby and whereunder the Public Distribution License of the petitioner bearing License No. 82/2016 was suspended under Section 28 of the Targeted Order, 2016 without giving any notice which is in violation of principles of Natural Justice, in as much as the impugned order has been passed without



giving show cause notice or opportunity of hearing within one day of the date of occurrence.”

3. Learned counsel appearing on behalf of the petitioner has stated that the PDS license of the petitioner has been suspended solely on the ground that an FIR has been lodged against the petitioner bearing Marhaura P.S. Case No. 723 of 2021. Learned counsel has stated that subsequently, the petitioner has been acquitted by the SDJM, Saran, Chapra on 28.02.2025. Learned counsel has stated that in view of the acquittal the order of suspension dated 19.01.2022 passed by the Sub-Divisional Officer, Marhaura, Saran has to be necessarily set aside and the PDS license of the petitioner may be directed to be restored. Learned counsel has, therefore, prayed this Court to allow the present writ petition.

4. Per contra, the learned counsel appearing on behalf of the Respondent-State has submitted that though the petitioner was served show-cause notice and seeking his explanation, till date the petitioner has not replied to the same. Learned counsel has stated that the petitioner may be directed to give a representation along with the copy of the order of acquittal dated 28.02.2025 passed by the SDJM, Saran, Chapra and the authorities will take necessary action.

5. Having regard to the fact that the petitioner has



already been acquitted in the criminal case bearing Marhaura P. S. Case No. 723 of 2021 filed against him, the petitioner is directed to give a representation along with the copy of the order dated 28.02.2025 passed by the SDJM, Saran, Chapra within a period of ten days from today. On such representation being given, the authority shall duly take the same into consideration and pass necessary orders restoring the license of the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks from the date of the receipt of the representation by the petitioner.

6. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy, J)

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