

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1460 of 2026

=====

Avdhesh Kumar, Son of Lakshman Paswan, Resident of Village and P.S.
Chhtapur, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Supaul.
3. The Block Supply Officer, Chhatapur, District - Supaul.
4. The Sub-Divisional Officer, Triveniganj, District - Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate.
For the Respondent/s : Mr. Government Advocate (11)

=====

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

3 30-03-2026 Heard the learned counsel for the parties.

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

“...for the issuance of an appropriate writ, order or direction for quashing the order passed by the Sub-Divisional Officer, Triveniganj vide Memo No. 721 dated 26.09.2025 whereby and whereunder license of the petitioner's PDS Shop bearing No. 15/2018 has been suspended with immediate effect only on a ground that a F.I.R. has been lodged against the petitioner contained in Annexure P/1 and further to restore the petitioner's license as before and to make the allotment for the petitioner's shop.”

3. Learned counsel for the petitioner submits that the



solitary ground given in the show cause notice dated 15.09.2025 vide Memo No.685 for suspension of the PDS licence of the petitioner was that an First Information Report (F.I.R.) bearing Chhatapur P. S. Case No. 282 of 2025 had been instituted against the petitioner. Similarly, the impugned order has been passed on the sole ground of institution of the aforesaid FIR against the petitioner.

4. Learned counsel for the respondents appears and has been heard.

5. Having heard the parties and on consideration of the materials on record, this Court finds merit in the writ petition. A perusal of the PDS (Control) Order, 2001 read with Rule 7 of the notification in G.S.R. No. 1 dated 20.02.2007 makes it clear that mere institution of a First Information Report would not constitute a valid ground for suspension of the PDS licence. This view finds support from the decision of this Court in Umesh Ram vs. The State of Bihar and others, AIR 2014 Patna 113 as well.

6. In view of the above, the impugned order dated 26.09.2025 passed by the Sub-Divisional Officer, Triveniganj is set aside.

7. Needless to say, supplies to the petitioner shall be restored without delay.

8. It is made clear that, in case, the petitioner is



subsequently convicted in the criminal case instituted against him, the authorities are free to take necessary action in accordance with law.

9. However, this order will not preclude the authorities from taking action if it is found that the petitioner has violated any other condition of the provisions of the Bihar Targeted Public Distribution System (Control) order strictly in accordance with law.

10. With the above directions, the Writ Petition stands **allowed** to the extent indicated above.

(A. Abhishek Reddy, J)

shakir/-

U			
---	--	--	--

