

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1259 of 2026

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Laxman Paswan, Son of Munshi Paswan, Resident of Village- Jahangira,
Village Panchayat- Rohi, Police Station- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar at Patna.
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Sherghati, Dist.- Gaya.
4. The District Supply Officer, Gaya.
5. The Block Supply Officer, Barachatti, Dist.- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binay Kumar, Adv. Mr. Avinash Gaurav, Adv.
For the Respondent/s	:	Mr. A. B. Sinha, Government Advocate (08)

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

2 12-03-2026 Heard learned counsel for the parties.

2. The present writ petition has been filed for the following relief(s):-

“That this is an application for issuance of appropriate writ/writs, order/orders and direction/directions 54 to quash the order dated 19-12-2025 contained in memo No.367 passed by the Licensing Authority cum Sub Divisional Officer, Sherghati, Gaya whereby the license No.-54/16 of the petitioner granted under the Bihar Targeted P.D.S. (Control) Order, 2016 has capriciously been cancelled on erroneous ground and for direction upon the respondent



No. 3 to continue allocation to the Public Distribution System Shop of the petitioner after declaring the cancelation order null and void and/or pass such other order(s) as your Lordships may deem fit and proper.”

3. A perusal of the show cause notice dated 17.09.2025 (Annexure P/5) reveals that the authority has given only 24 hours time to the petitioner to file his explanation and there is no proposal for cancellation of the P.D.S. license as mandated under Clause 27(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

4. Having regard to the same, the impugned order dated 19.12.2025 passed by the Sub-Divisional Officer is set aside. The matter is remanded back to the Sub-Divisional Officer (Respondent No. 3) for issuing a fresh show-cause notice to the petitioner strictly in compliance with the provisions of Clause 27(ii) of the Control Order, 2016. The authority shall give sufficient time to the petitioner for filing his explanation preferably 10 days from the date of serving the notice and the authority shall enclose the copy of the enquiry report as well as the statements made by the beneficiaries if any against the petitioner along with the Show Cause Notice. After receipt of the explanation to the show cause notice, the authority shall pass



a reasoned order giving the reasons either for accepting the explanation or for rejecting the same.

5. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. Any order passed shall be communicated to the petitioner.

6. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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