

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5840 of 2026

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Jay Kumar Yadav S/o Late Jagdish Yadav, Resident of Village- Khaira, Ward No. 10, P.O. Garhia, Vijaypur, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Sub-Divisional Officer, Sadar, Saharsa.
3. The Block Supply Officer, Sour Bazar, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate.

For the Respondent/s : Mr. Mujtabaul Haque, GP 12.

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

2 27-04-2026 The present writ petition has been filed for the quashing of the order dated 13.09.2025 (Annexure-P/3) passed by the Sub-Divisional Officer, Sadar Saharsa-cum-licensing authority by which the PDS license of the petitioner bearing License No. 380/16, FPS Code No. 121400200439 has been suspended.

2. The short point raised by the petitioner for consideration is that as per Rule 28 of Bihar Targeted Public Distribution System (Control) Order, 2016, the period of suspension cannot survive beyond a period of 180 days and during the said period of 180 days of suspension of the license, a



final order has to be passed but the same has not been passed in the present case, hence the order dated 13.09.2025, stands vitiated in the eyes of law.

3. Having regard to the facts and circumstances of the case and considering the provisions contained in Rule 28 of Bihar Targeted Public Distribution System (Control) Order, 2016, this Court finds that the period of suspension of the P.D.S. however no final decision has been taken and secondly, the petitioner has already been granted the privilege of anticipatory bail which indicates that neither the petitioner is a fugitive nor he has been sent to jail, hence, the impugned order dated 13.09.2025 stands vitiated in the eyes of law, thus is quashed.

4. The Writ Petition stands allowed.

(A. Abhishek Reddy, J)

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