

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8382 of 2023

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Rasalpura Primary Agriculture Co-operative Credit Society, Nandsena, Meskaour, Nalanda Through its Chairman, Jageshwar Mahto @ Jageshwar Prasad, aged about 68 years, (Male), S/o Late Churaman Mahto, Resident of Village-Nandsena, P.S.-Sitamarhi, District-Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Commissioner, Magadh Division, Gaya.
3. The Collector-cum-District Magistrate, Nawada.
4. The Sub Divisional Officer, Rajauli, Nawada.
5. The Block Supply Officer, Meskaour, Nawada.

... .. Respondent/s

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Appearance :

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For the Petitioner/s	:	M/s N.K.Agrawal, Sr. Advocate Kumar Rajdeep, Dhananjaya Nath Tiwari, Advocates
For the Respondent/s	:	Mr. Arvind Ujjwal (SC 4)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 10-07-2026

1. The petitioner has filed the instant application for the following reliefs:

“ For setting aside the order contained in memo no. 394 dated 16.02.2023 passed by Learned Sub Divisional Officer, Rajauli Nawada, by which he has cancelled petitioner's PDS license being license no. 342/2017 on the direction of learned Commissioner, Magadh Division, Gaya and further be please to restore the PDS licence as well as supply of the



petitioner."

2. At the very outset, the Learned counsel appearing on behalf of the parties submit that the issue involved in the present writ petition is no longer *res integra*. It is contended that the issue stands squarely covered by the order dated 22.01.2026 passed by a Coordinate Bench of this Court in **C.W.J.C. No. 15893 of 2025 (Lodipur Panchayat PACS (Primary Agriculture Credit Society Vs. The State of Bihar & Ors) and others analogous cases**, wherein an identical issue was considered and adjudicated. The Learned counsel for the parties, therefore, submit that in view of the aforesaid order, the present writ petition may also be disposed of, in terms of the order dated 22.01.2026.

3. In **Lodipur Panchayat PACS** (supra) this Court has held as follows:

"6. Having regard to the above, the impugned order dated 02.07.2022 passed by the Sub-Divisional Officer, Rajgir is set aside. The Respondent No. 3 is directed to restore the license in favour of the PACS and



further directed to resume the supplies to the PACS as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. However is made clear that in case the license is restored to the PACS the person who was running the shop at the time of inspection any irregularities were found cannot run the shop. The PACS is directed to nominate any other person to run the shop.

7. With the above directions, this Writ Petition is allowed to the extent indicated above.”

4. Having regard to the submissions made by the parties, the present writ petition stands allowed of in terms of the aforesaid judgment passed in **Lodipur Panchayat PACS** (supra) and accordingly, impugned order dated 16.02.2023 passed by the Sub-Divisional Officer Rajauli Nawada is set aside. The Respondent No. 4 is directed to restore the license in favour of the petitioner and further directed to resume the supplies to the petitioner as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order.



5. However is made clear that in case the license is restored to the Rasalpura Primary Agriculture Co-operative Credit Society, the person who was running the shop at the time of inspection any irregularities were found cannot run the shop. The Co-operative Credit Society is directed to nominate any other person to run the shop.

6. With the above directions, this Writ Petition is allowed to the extent indicated above.”

7. Interlocutory Application, if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.07.2026
Transmission Date	

