

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14252 of 2025

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Rameshwar Thakur Son of Ram Charitra Thakur, Resident of Ward No.- 17,
Naula, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gaurav
For the Respondent/s : Mr. Standing Counsel (25)

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

6 15-06-2026 Heard the learned counsel for the parties.

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

“A. Certiorari for quashing & setting aside the order passed by the Sub Divisional Officer, Begusarai by vide Memo No. 338 dated 21.07.2025 contained whereby and where under license of the petitioner’s PDS Shop bearing License No. BIR-13/2016 has been cancelled on the basis of wrongly & access quantity of food grains i.e. 73.88 Qtl. Wheat and and 96.46 Qtl. Rice uploaded on to the Petitioner’s Epos Machine No.122200300159 for which neither any S.I.O has been issued nor the petitioner has received the said grains in question contained therein.

B. A mandamus commanding the Respondents to restore the license of the petitioner P.D.S Shop having License No.



BIR- 13/2016 & consumers of the petitioner shop like before and to make the allotment for the same as before contained therein.

C. Update Machine E-POS the No. 122200300159 as per stock received by the petitioner and distribute the same amongst the beneficiaries.

D. Any other relief or reliefs for which petitioner may be found entitled in the fact and circumstances of the present case may be granted to him.”

3. This Court *vide* order dated 30.04.2025 passed in CWJC No. 15312 of 2024 while setting aside the order passed by the Sub-Divisional Officer, Begusarai in Memo No. 337 dated 02.09.2024 has held as under;

“Having regard to the above facts and circumstances and the law laid down by this Hon’ble Court, the present CWJC is allowed. The impugned order passed by the Sub-Divisional Officer, Sadar, Gaya dated dated 02.09.2024 in Memo No. 337 (Annexure-P/I series) is set aside. The matter is remanded back to the Sub-divisional Officer for issuing a fresh show-cause notice to the petitioner strictly in compliance with the provisions of Rule 27(ii) of the Control Order, 2016 and call for his explanation by giving him reasonable time.”

4. A perusal of the order passed by the authority dated 21.07.2025 reveals that the impugned order has been passed by the SDO holding that the earlier order passed on 02.09.2024 hold good. It is not understandable as to how the authority can reiterate the order which has already been set aside



in the earlier round of litigation in CWJC No. 15312 of 2024 can be held to be good when the same has already been set aside.

5. Having regard to the same, the impugned order dated 21.07.2025 is set aside and the matter is remanded back to the the SDO concerned for passing orders afresh duly taking into consideration the explanation submitted by the petitioner.

6. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The authority shall pass a reasoned orders giving the reasons either for accepting the explanation submitted by the petitioner or rejecting the same. 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 orders passed shall be communicated to the petitioner.

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

(A. Abhishek Reddy, J)

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