

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16148 of 2025

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Sunil Kumar Singh S/o Suresh Prasad Singh, Resident of Nariyal Ghat,
Takiyapar, PS Danapur, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector-cum-District Magistrate, Patna.
3. The Sub-Divisional Officer cum Licensing Authority, Danapur, Dist. Patna.
4. The Sub-Divisional Welfare Officer, Danapur, Dist. Patna.
5. The Block Development Officer, Danapur, Dist. Patna.
6. The Block Supply Officer, Maner, Danapur, Dist Patna.
7. The Block Supply Officer, Danapur, Urban Area, Dist Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr. Government Advocate (7)

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

2 19-01-2026 Heard learned counsel for the parties.

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

“(i) For issuance of appropriate writ/writs, order/orders, direction/directions in the nature of certiorari for quashing the order contained in Memo No. 07Mu/Aa, dated 10.02.2025 passed by the Learned Sub-Division Officer-cum-Licensing authority Danapur (Patna) by which he has cancelled the PDS license of the petitioner being License No. 22/2019 on the basis of notice where is no stipulation of proposed cancellation and that



too by a cryptic and non-speaking order.

(ii) For issuance of appropriate writ/writs, order/orders, direction/directions in the nature of mandamus commanding the respondents to restore the license of the petitioner being License No. 22/2019.”

3. This Court vide order dated 21.10.2024 passed in CWJC No. 9392 of 2024 on earlier occasion had set aside the order passed by the Sub-Divisional Officer solely on the ground that the show cause notice issued to the petitioner was not in accordance with the Rule 27(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016. While disposing the CWJC, this Court has specifically directed the Sub-Divisional Officer to issue a fresh show cause notice to the petitioner strictly in compliance with the provisions of Rule 27(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 and give him an opportunity of filing a fresh explanation to the said show-cause notice and thereafter pass a reasoned order. However, the authority has issued the notices dated 22.01.2025 (Annexure (P/9) and 30.01.2025 (Annexure (P/10) which does not contain the proposal for cancellation.

4. Having due regard to the earlier order dated 21.10.2024 passed by this Court in CWJC No. 9392 of 2024 and



also the Judgment of the larger Bench passed in CWJC No. 21202 of 2021 and analogous cases dated 26.09.2023, this Court has no other option but to set aside the impugned order dated 10.02.2025 passed by the Sub-Divisional Officer and remand the matter back to the authority concerned. The authority concerned shall issue a fresh show cause notice strictly in compliance with the provisions of Rule 27(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 duly giving an opportunity to the petitioner for filing his explanation within a stipulated time. In case the authority is relying on any inquiry report on statements of the beneficiaries the same shall also be enclosed along with the said show cause notice. After receipt of the explanation by the petitioner, the authority shall pass a reasoned order duly taking into account the explanation submitted by the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order.

5. It is needless to mention that before passing any order the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the party.

6. With the above directions, the present writ petition



stands disposed of.

(A. Abhishek Reddy , J)

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