

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17789 of 2025

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Md. Hassan Imam Son of Jafar Imam @ Md. Jafar Imam, Resident of Village- Lalganj Milki, Ward No. 06, P.S.- Maranga, District- Purnea @ Purnia (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Consumer and Food Supply Department, Government of Bihar.
2. The District Magistrate-cum-Collector, Purnea.
3. The Sub Divisional Officer, Sadar, Purnea.
4. The Block Supply Officer, Purnea, East Purnea, District- Purnea.
5. The District Manager, the State Food Corporation, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prem Kumar, Adv.
For the Respondent/s	:	Mr. Addl. Advocate General (04)
For the BSFC	:	Mr. Nirmal Kumar, Adv.

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

2 27-01-2026 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the following reliefs:-

“1) That the instant application is directed for passing necessary order/orders, or direction as nature of the case may require quashing the order passed by respondent No. 3 as contained in Memo No. 558, dated 30.08.2025 by way of issuing writ of certiorari in as much as is directed for seeking direction to the concern respondent authority to restore the license of the shop (public distribution system shop) being License No. 01/2020 by way of issuing writ of mandamus as the said order



under challenge is perverse, arbitrary and ipso facto bad.”

3. Learned counsel for the petitioner submits that the solitary ground given in the show cause notice for cancelling the PDS licence of the petitioner was that an First Information Report (F.I.R.) bearing Maranga (Purnea) P.S. Case No. 73 of 2025 had been instituted against the petitioner. Similarly, the impugned order has been passed on the sole ground of institution of the aforesaid FIR against the petitioner.

4. Learned counsel for the respondents appears and has been heard.

5. Having heard the parties and on consideration of the materials on record, this Court finds merit in the writ petition. A perusal of the PDS. (Control) Order, 2001 read with Rule 7 of the notification in G.S.R. No. 1 dated 20.02.2007 makes it clear that mere institution of a First Information Report would not constitute a valid ground for suspension of the PDS licence. This view finds support from the decision of this Court in ***Umesh Ram vs. The State of Bihar and others, AIR 2014 Patna 113*** as well.

6. In view of the above, the impugned order dated 30.08.2025 is hereby quashed and set aside.



7. Needless to say, supplies to the petitioner shall be restored without delay.

8. It is made clear that, in case, the petitioner is subsequently convicted in the criminal case instituted against him, thereafter, the authorities are free to take necessary action in accordance with law.

9. With the above directions, the Writ Petition stands allowed to the extent indicated.

(A. Abhishek Reddy , J)

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