

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19438 of 2025

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Shivnarayan Chaudhary, son of Arvind Chaudhary, resident of Village
Pamara, P.S. Tharthari, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Civil Supply
Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply Department, Govt. of Bihar,
Patna
3. The Collector Nalanda.
4. The Sub-Divisional Officer, Hilsa, District Nalanda.
5. The Block Supply Officer, Tharthari, District Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate.
For the Respondent/s : Mr. Standing Counsel (3).

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

3 10-02-2026 Heard learned counsel for the parties.

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

*“That the instant writ application for
grant of an appropriate writ for quashing the
order of Sub-Divisional Officer Hilsa, District
Nalanda issued under Memo No. 1183/Aa dated
15.09.2025 suspending the Fair Price Shop
licence No. 07/2024 EPDS Code No.
122900200695 of the petitioner at Gram
Panchayat Narayanpur under Tharthari Block,
District Nalanda under Bihar, Targeted public
Distribution System (Control) order 2026 with
immediate effect.”*

3. Learned counsel for the petitioner submits that the



solitary ground given in the show cause notice dated 15.09.2025 vide Memo No. 1183 for cancellation of the PDS licence of the petitioner was that an First Information Report (F.I.R.) bearing Tharthari P. S. Case No. 130 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 15.09.2025 passed by the Sub-Divisional Officer, Hilsa, District-Nalanda is 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, the authorities are free to take necessary action in accordance with law.

9. However, this order will not preclude the authorities from taking action if it is found that the petitioner has violated any other condition of the provisions of the Bihar Targeted Public Distribution System (Control) order strictly in accordance with law.

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

(A. Abhishek Reddy, J)

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