IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 2990 of 2026

Sangam Mahila Samittee through its President Nagia Devi, aged about 45 years, wife of Loknath Sao, resident of Village Hedlag, P.O. Lupung, P.S. Katkamsandi, District Hazaribag, Jharkhand.

....Petitioner(s).

Versus

1. The State of Jharkhand through its Principal Secretary, Department of Food, Public Distribution and Consumer Affairs, having its office at Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
2. The Commissioner, North Chhotanagpur Division, Hazaribag, P.O. and P.S. Hazaribag, District Hazaribag, Jharkhand.
3. The Deputy Commissioner, Hazaribag, P.O. and P.S. Hazaribag, District Hazaribag, Jharkhand.
4. The Sub-Divisional Officer, Hazaribag, P.O. and P.S. Hazaribag, District Hazaribag, Jharkhand.
5. The Block Supply Officer, Katkamsandi, P.O. and P.S. Katkamsandi, Jharkhand. **… Respondent(s).**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. P.K. Mukhopadhyay, Advocate
For the State : Ms. Nirupama, Sr. S.C.-II

…....

03/ 28.04.2026: Heard, the learned counsel for the petitioner and learned counsel for the State.

2. By way of filing this writ petition, the petitioner has sought for the following reliefs:-

i. For issuance of an appropriate writ/writs, order / orders or a writ in the nature of certiorari for quashing of order dated 04.07.2025 (Annexure-7) passed by the respondent no.2 (Commissioner, North Chhotanagpur Division, Hazaribag) in PDS Revision Case No. 08 of 2024; order dated 13.12.2017 (Annexure-6) passed by respondent no.3 the (Deputy Commissioner, Hazaribag) in PDS Licence Cancellation Appeal No. 07 of 2011 and order dated 24.02.2011 as contained in memo no.426 (Annexure-5) passed by the respondent no.4 (Sub-Divisional Officer, Hazaribag Sadar), whereby the PDS licence No. 23/2009 of the petitioner has been cancelled and its appeal and revision filed by the petitioner under the provision of Bihar / Jharkhand Trade Articles (Licences Unification) Order, 1984, has also been dismissed.

ii. For issuance of an appropriate writ / writs, order / orders or a writ in the nature of mandamus, directing and commanding upon the respondents to restore the PDS

Licence No. 23/2009 of the petitioner to enable her as well as all other members of the Sangam Mahila Samittee to earn bread for their livelihood.

3. The fact of the case is that the petitioner, President of Sangam Mahila Samittee, was granted PDS (Public Distribution System) Licence No. 23/2009 and was running shop for distribution of food grains. On 15.06.2010, the Block Supply Officer inspected the shop and reported certain irregularities in connection with dealing in sale and purchase of food articles in the shop. After an inspection on 15.06.2010, alleged irregularities were reported, leading to suspension of the licence and issuance of show-cause notices to the petitioner. The petitioner submitted a reply on 07.02.2011, but her licence was cancelled on 24.02.2011. The petitioner filed PDS Licence Cancellation Appeal No. 07 of 2011 before the Deputy Commissioner, Hazaribag, which was dismissed on 13.12.2017. She then filed a PDS Revision Case No. 08 of 2024before the Commissioner, which was also dismissed on 04.07.2025.

4. Learned counsel for the petitioner submits that the impugned orders passed by the respondents are absolutely arbitrary and illegal. He further submits that the respondents while cancelling the PDS licence of the petitioner, have acted illegally by ignoring and overlooking the sole aspect that the PDS Licence No. 23/2009 is the only source of income of the petitioner Mahila Samittee. He also submits that the petitioner was not given a proper opportunity of hearing and that the enquiry was biased and arbitrary.

5. Learned counsel for the State submits that the impugned orders have been passed in accordance with law and after due consideration of the materials available on record. She further submits that there was some serious irregularities in the functioning of the PDS shop. The petitioner failed to submit its reply to the show cause notice within the stipulated time. She

also submits that the order passed by the Sub-Divisional Officer cancelling the licence was lawful based on the findings of irregularities. Any violation of the conditions justifies cancellation of licence irrespective of personal circumstances.

6. After hearing both the parties and upon perusal of the records, I find that the petitioner's PDS licence was cancelled based on an inspection report which highlighted irregularities in the functioning of the shop. The authorities had issued show-cause notices, giving the petitioner a chance to explain, in which reply was not found satisfactory. The orders passed by the Sub-Divisional Officer, Deputy Commissioner, and Commissioner were proper and within their powers.

7. The Hon'ble Supreme Court in case of ***Municipal Council, Neemuch v. Mahadeo Real Estate*** reported in **(2019) 10 SCC 738** in paragraph 16 has held under-

> ***16.*** *It could thus be seen that an interference by the High Court would be warranted only when the decision impugned is vitiated by an apparent error of law i.e. when the error is apparent on the face of the record and is self-evident. The High Court would be empowered to exercise the powers when it finds that the decision impugned is so arbitrary and capricious that no reasonable person would have ever arrived at. It has been reiterated that the test is not what the Court considers reasonable or unreasonable but a decision which the Court thinks that no reasonable person could have taken. Not only this but such a decision must have led to manifest injustice.*

Further, in ***State of Karnataka v. N. Gangaraj*** reported in ***(2020) 3 SCC 423***, the Hon'ble Supreme Court held that, while exercising jurisdiction under Article 226, the High Court is not required to reappreciate the evidence or substitute its own conclusions in place of those arrived at by the competent authority. Interference is warranted only when the decision-making process is vitiated by patent illegality, perversity, violation of statutory provisions, or breach of principles of natural justice.

8. Considering the aforesaid facts of the case, I am of the view that adequate opportunity of hearing was given to the petitioner. All the documents were considered and the facts were appreciated by all the Authorities. There is no material on record to show that the enquiry was biased or conducted in violation of law. Therefore, no ground is made out for interference under Article 226 of the Constitution of India with the impugned orders.

9. Accordingly, the writ petition is **dismissed**.

(ANANDA SEN, J.)

28th April, 2026
R.S./
Uploaded on 15/05 /2026