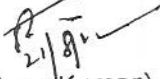





आदेश की कम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर Court of the District Magistrate, Saran at Chhapra Premchand Prasad Vrs. Govt. of Bihar Supply Appeal Case No. 66/2006	आदेश पर की गई कार्रवाई में टिप्पणी तारीख के साथ
21/8/2012	<p style="text-align: center;">ORDER</p> <p>The instant appeal has been filed against the PDS license cancellation order passed by the learned SDO, Marhaura vide his Order Memo No. 301 dated 28.11.2006.</p> <p>The case of the Appellant is that his PDS shop was inspected on a day (11.08.2006), when he had gone for the treatment of his ear after duly putting up the notice on the notice board. He also claimed that his license was cancelled on the basis of false allegation of hostile persons that he sold kerosene oil at a price higher than the prescribed one. But the learned SDO ignored the fact that the same enquiry report also records the statement of another person that he had no complaint.</p> <p>Heard the parties and perused the lower court records. It is evident that the Appellant had indeed put up the notice about his leave for ear treatment. The enquiry report reveals the conflicting statements of the consumers and does not point out any serious irregularities.</p> <p>I am not convinced that any case for the cancellation of license is made out. The learned SDO's argument that the petitioner did not submit any medical certificate appears frivolous as he had not asked for any medical certificate in his show cause notice. The enquiry report is at best his self-contradictory.</p> <p>Accordingly the impugned order is unsustainable in the eye of law and the same is quashed. The PDS license in question is ordered to be revived.</p> <p>Dictated and corrected</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  (Vinay Kumar) District Magistrate Saran, Chapra </div> <div style="text-align: center;">  (Vinay Kumar) District Magistrate Saran, Chapra </div> </div>	

आपकी 2186 / विधि, दिनांक 30.8.12

प्रतिनिधि - अनुसूचित पदाधिकारी, मदीरा को

अपनी पत्रिका 698/आ प्रति दिनांक 06-12-2007 को स वाद संख्या 98/2006 में चर्चा के लिए जो विधि इतरसन, मदीरा का वृत्त के निवास को विषयको परान्त पुनः वापस किया जा रहा है।

अनुसूचित - आ. सं. 696/आ दि 06-12-07

मदीरा वाद सं 98/2006 प्रामुख्य

(स. सं. 2008/12)

वकील उपस्थित
विधि विधि शाखा
28/8/12 साप, चपरा।