

आदेश की क्रम
की सं0 और
तारीख

आदेश और पदाधिकारी का हस्ताक्षर

आदेश पर की गई
कार्रवाई के बारे में
टिप्पणी तारीख के
साथ

13/2/25

**In the Court of Divisional Commissioner,
Santhal Pargana Division, Dumka**

R.M.R (P.D.S) No.574/2024-25

Churka Tudu

-Versus-

D.C, Dumka & Others

Order

The instant revision has been filed against the order dated 28.01.2022 passed in R.M.A (P.D.S) Case No.26/2021-22 by the learned Deputy Commissioner, Dumka wherein and whereunder confirming the order dated 04.11.2019 passed by D.S.O, Dumka. The petitioner preferred the writ application before the Hon'ble High Court, Ranchi numbered as W.P(S) No.6261/2022 for quashing the orders. The Hon'ble High Court, Ranchi became pleased to dismiss the writ petition by the order dated 15.12.2023, to withdraw the writ petition with a liberty to prefer revision before the Revisional Authority and as such this revision has been filed.

The brief fact of this revision as state is that the petitioner was granted a License of P.D.S Bearing No.34/2002. On dated 27.02.2019 a complain was registered against the petitioner in Chief Minister Grievance cell and thereafter an inquiry was held. The Block Supply Officer submitted a report that for the month of may 2019, some Card-holders were not given ration but the report was without mentioning the name of the Card-holders or without exhibiting any Card. The License of the P.D.S was cancelled by the D.S.O, Dumka vide order dated 04.11.2019, against which an appeal was filed in the court of the Deputy Commissioner, Dumka numbered and registered as R.M.A (P.D.S) Case No. 26 of 2021-22 but the Deputy Commissioner, Dumka dismissed the appeal vide order dated 28.01.2022. The petitioner filed writ petition before the Hon'ble High Court, Ranchi but it was dismissed with a direction to file Statutory Revision before the Statutory Authority and hence this revision.

The learned counsel of the petitioner submitted that the order passed by the lower court is not sustainable. The order has been passed without supplying the copy of Inquiry Report. The principle of the natural

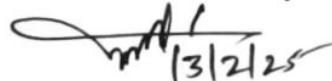
Justice is violated. There is nothing to prove any irregularity. The license was cancelled on the basis of table report, in violation of the principal of the prescribed rules. The petitioner has not been provided with an opportunity of the hearing. In the light of the above submissions prayed to allow the revision.

The learned Govt. Pleader submitted and argued that the petitioner has been found guilty of not providing ration to the Card-holders and after conducting due inquiries and processes, it was proved that his conduct is not appropriate to carry on the business. The authority has followed the principle of the natural Justice and it is a lame excuse to deny the fact. In the light of above submissions prayed to dismiss this revision.

Heard both the parties and perused all report, I find that the court below has properly decided the matter and has passed a order in consonance of the fact and the law.

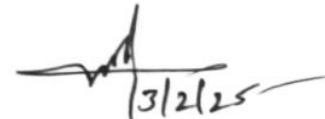
Therefore, no interference is required and as such this revision is dismissed.

Dictated and Corrected by me



13/2/25

Commissioner
Santhal Pargana Division,
Dumka



13/2/25

Commissioner
Santhal Pargana Division,
Dumka