

आदेश का क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी, तारीख के साथ।
10/01/2022	<p>IN THE COURT OF THE COMMISSIONER, SOUTH CHHOTANAGPUR DIVISION RANCHI</p> <p>PDS Appeal No. 15/2015</p> <p>Vijay Kumar</p> <p>Vrs.</p> <p>State</p> <p>This appeal was filed against the order passed by DC, Ranchi in PDS Appeal no. 21 R 15/2013-14 wherein the PDS licence no. 01/1996 in the name of petitioner was cancelled.</p> <p>The petitioner had earlier approached Hon'ble High Court in writ petition 5914/2013 which was disposed with direction to approach the revisional authority.</p> <p>Petitioners claim that he was granted licence to the PDS shop and was doing the business without any complaints since 1996. On 30/01/2013 a truck carrying 110 bags of rice from state godown to his shop went on a wrong route and was seized by the Block Supply Officer, Ormanjhi. On this basis FIR was registered against the petitioner under the Essential Commodities Act on the grounds of black marketing of rice. The petitioner was issued show cause for cancellation of his licence of the PDS shop. The Sub Divisional Officer cancelled the licence on 30/04/2013 against which an appeal was filed with the Deputy</p>	

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	<p>Commissioner which was also dismissed.</p> <p>Petitioner claim that there was no proper inquiry regarding the claims of black marketing and the lower courts cancelled the licence without taking into consideration his explanation. Petitioner has also filed the orders of Judicial Commissioner, Ranchi in criminal appeal 113/2015 wherein the confiscation order passed by DC, Ranchi has been set aside and the money obtained through sale of confiscated rice was ordered to be paid to the petitioner. Also it is found that Hon'ble High Court has quashed the entire proceeding of Ormanjhi PS FIR no. 11/2013 holding it as illegal.</p> <p>As this matter has already been decided by the court of Hon'ble Judicial Commissioner, there is no reason to not allow this revision petition. The order of appellate court was passed on 11/07/2013 whereas the orders of court of Judicial Commissioner has come on 22/07/2016. Also considering the fact that the entire FIR has been quashed by the Hon'ble High Court already, there is no reason to hold petitioner guilty of any offence. Hence this revision petition is allowed and the PDS licence no. 01/1996 in the name of petitioner is restored. A copy of the order to be sent to DC, Ranchi for necessary action.</p> <p>Dictated & Corrected</p> <p><i>W. Kumari</i> 10/11/22 Commissioner</p> <p><i>W. Kumari</i> 10/11/22 Commissioner</p>	