

In The Court of Commissioner, Saran Division, Chapra

**Supply Revision No. 121/2015**

**Balam Ram  
Vrs.  
The State of Bihar  
ORDER**

17-02-2016 The instant revision application is directed against the impugned order passed by D.M. Gopalganj in Misc. case No. 51/2010 on 19.08.11.

The brief facts of the case are that the petitioner Balam Ram S/o Late Fulena Ram, R/o Vill-Sallehpur, P.S. Mohammadpur, Dist-Gopalganj was a PDS dealer. Further case is that some consumers attached with the PDS shop of the petitioner had filed a written complaint before SDO, Gopalganj alleging therein that the petitioner used to supply only 16-17 kg of food grains to the consumers against the prescribed 25 kg of grains besides that the petitioner also did not distribute the k.oil to the consumers rather the same was sold by him in black market. Acting on the said complaint petition, an inquiry report was called for from BDO, Sidhwalia. The BDO sent his report in the matter but after finding the same to be incomplete, again a report from ADSO, was called for who in turn reported that the Antodaya consumers had been denied the right quantity of food grains and k.oil by the dealer and their coupons were also kept by the dealer. Thereafter a show cause was issued to the dealer and the show cause reply filed in compliance to that upon which the opinion of BSO, Sidhwalia was sought and ultimately the said license was suspended. Again a second show cause notice was issued by SDO as to why not the said license be cancelled for the alleged irregularities found against him and subsequently the said PDS license was cancelled vide order dt. 01.10.2009. Feeling aggrieved by the said order, the petitioner preferred an appeal before D.M. Gopalganj and the said appeal was dismissed vide order dt. 19.08.11 which led to filling of this revision application before this Court.

Heard the learned counsel for the parties.

The learned counsel appearing on behalf of the petitioner, while assailing the impugned order submitted in details about the whole course of events leading to cancellation of the license and pleaded that the learned Collector failed to consider the entire case in its correct perspective and the said appeal has been dismissed without any reason. He further argued that the petitioner's license was cancelled merely on the ground of a complaint petition filed by those consumers who were inimical with the petitioner but this important fact was not considered by the Collector. He lastly submitted that as the impugned order is illegal and against the weight of evidence on record, the impugned order is fit to be set aside and this revision application be allowed.

The learned Spl. P.P. appearing on behalf of the State, on the other hand, strongly submitted that the impugned order is legal, valid and proper. He further submitted that this revision petition having no merit is fit to be dismissed.

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Considering the facts and circumstances of the case, material available on records and on perusal of the impugned order, it is seen that the petitioner's PDS license has been cancelled ~~mainly~~ on the ground of alleged irregularities in the distribution of food grains and k.oil. Even in the inquiry conducted by the two officers like BSO and ADSO have confirmed the alleged charges against the petitioner. It is seen that the learned D.M. Gopalganj has passed a detailed and reasoned order in appeal. Moreover, the learned counsel for the petitioner has failed to point out any specific infirmity in the said order. The only contention of the petitioner's counsel is that the learned D.M. has not considered the entire aspect of the case properly. I do not find any merit such claim in absence of any substantial evidence in support thereof. In fact the petitioner has failed to raise any substantive issue in his favour so as to warrant any interference in the impugned order.

Thus for the aforementioned reasons, the impugned order is upheld and this revision petition being devoid of any merit is dismissed accordingly.

Dictated and Corrected by me.

*b/17-2/16*  
Commissioner,  
Saran Division, Chapra

*b/17-2/16*  
Commissioner,  
Saran Division, Chapra