

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13034 of 2015

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1. Rukmina Devi W/o Sri Birendra Singh Yadav R/o Village + P.O. Nachap, P.S. Murar, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Patna.
 2. The District Magistrate, Patna.
 3. The District Manager, State Food Corporation, Buxar.
 4. Sub Divisional Officer-cum-Licency Authority, Dumraon, Buxar.
 5. The Block Supply Officer, Chaugai, Dumraon, Buxar.
 6. The Assistant District Supply Officer, Dumraon, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey

For the Respondent/s : Mr. Md. Raisul Haque- Sc4

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 18-09-2015 Learned counsel appearing for the petitioner submits that the impugned order has been passed without issuing show cause.

Learned State counsel refutes the submission of the learned counsel for the petitioner that no show cause was served. He has drawn my attention to show cause notice dated 2.7.2015, as contained in memo no.2230 issued by the Sub-Divisional officer, Dumaraon (Annexure-3) wherein he has stated that if no show cause reply is filed within 24 hours, the licence would be cancelled.

Learned counsel for the petitioner submits that show cause notice was served upon him beyond the period of 24 hours.

Learned counsel for the State rightly submits that there is alternative remedy of appeal.

In this view of the matter, this writ application is dismissed with liberty to the petitioner to avail the alternative remedy of appeal.

(Samarendra Pratap Singh, J)

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