

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20972 of 2014

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Ram Kripal Singh Son of Late Sri Krishna Singh Resident of Village -
Kamalchak, P.S. - Kahalgaon (Ishupur), District - Bhagalpur, license of
P.D.S. shop at village - Kamalchak, Gram Hardeochak, Prakhanda
Khalagaon, District – Bhagalpur Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Bhagalpur
3. The Sub-Divisional Officer, Kahalgaon, District - Bhagalpur
..... Respondents

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Appearance :

For the Petitioner : Mr. Abhay Kumar Singh, Advocate
For the Respondents : Mr. R.R.K. Pandey, SC 29

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 11-09-2015 The petitioner prays for setting aside order dated
15.1.2012, passed by the SDO, Kahalgaon as well as appellate
order dated 7.6.2013, passed by respondent no.2, canceling his
PDS license no. 66 of 1985 on the following grounds:-

The petitioner was not served with the copy of the
enquiry report dated 8.01.2012. Only 24 hours was given to
file show cause. Allegations in the show cause are general and
vague and the same does not contain the names of complaints
of the consumers.

I find substance in the submission of the petitioner as
without copy of the enquiry report and a copy of the complaint
filed by the consumers, he will not be in a position to file his
effective reply.

The writ petition is allowed and the impugned orders are set aside with liberty to the respondents to proceed in accordance with law after serving copy of the enquiry report and complaints of the consumers to the petitioner.

(Samarendra Pratap Singh, J)

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