

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1727 of 2015

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Ramakant Prasad, S/o Late Baldeo Yadav, Resident of Village - Khalispur,
P.S. & P.O. - Kako, District- Jehanabad.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply Department, Old Secretariat, Patna.
2. The Secretary, Food & Civil Supply Department, Old Secretariat, Patna.
3. The District Magistrate, Jehanabad.
4. The District Supply Officer, Jehanabad
5. The Sub Divisional Officer, Jehanabad
6. The Block Supply Officer, Kako, Jehanabad.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
: Mr. Dhananjaya Nath Tiwari, Advocate
: Mr. Diwakar Upadhyay, Advocate
For the Respondent/s : Mr. AC to SC-27

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 08-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is a P.D.S. license holder under 2007 Bihar Control Orders. He has challenged the order cancelling his P.D.S. license on a number of grounds.

The petitioner submits that the allegations, which form part of the show-cause is also substantially the same allegations as in the F.I.R., in which the police has submitted Final Form. He further submits that the Final Form submitted by the police has also been accepted by the court. Besides this, the copy of the enquiry report was not given to him.

I find that the case of the petitioner would succeed on

the ground that the copy of enquiry report, which contained a large number of allegations, was not given to him.

In the result, the impugned order cancelling the P.D.S. license of the petitioner is set aside. It will be open for the respondents to proceed afresh after giving a fresh show-cause notice.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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