

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4356 of 2013**

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Kapildev Prasad

.... .... Petitioner/s

Versus

The State of Bihar & Ors

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

3      06-08-2015      The petitioner was PDS dealer holding a license bearing license no.8 of 1989. After show cause his licence was cancelled by the licensing authority vide order dated 20.3.2008 which was affirmed in appeal bearing Supply Appeal Case No.137 of 2011 vide order dated 18.6.2012.

The petitioner submits that the enquiry report as contained in Annexure-R/1 to the counter affidavit has not been made over to him in order make an effective reply.

In my view, the petitioner ought to have been served with a copy of the enquiry report in order to make an effective reply. The Appellate Order dated 18.6.2012 passed by the Collector, Gaya is set aside. Now, the petitioner is in know how of the enquiry report, I remit the matter to the Collector, Gaya for considering the case of the petitioner afresh. It will be open for the petitioner to file any further affidavit or petition in support of his case. It is expected

that the Collector, Gaya would pass a fresh order within a period of three months from the date of receipt/production of a copy of this order.

In the result this writ application is allowed.

**(Samarendra Pratap Singh, J)**

KHAN/-

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