

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6808 of 2014

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1. Kailash Prasad Singh Son Of Late Anutha Singh Resident Of Village :
Muradpur, P.S. : Rosera, District : Samastipur

.... Petitioner/s

Versus

1. The State Of Bihar
2. District Collector, Samastipur.
3. Sub Divisional Officer, Rosera, District - Samastipur.
4. Prakhand Supply Officer, Rosera, District - Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishwanath Prasad Singh, Advocate

For the Respondent/s : Mr. Shailendra Kumar Jha, AC to AAG 13

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 05-10-2015 The petitioner seeks quashing of the order, dated 29.11.2012 passed by the Sub-Divisional Officer, Rosera cancelling his licence which was also affirmed in appeal vide order dated 11.2.2014 passed by the District Collector.

The petitioner submits that the show cause notice issued is not inconsonance with the provisions of clause 7(ii) of the Bihar Fair Price Shops Order, 2007 as the same was not a notice against proposed cancellation. The petitioner in support of his submission has relied upon a decision of this court in the case of ***Parsauni Khirodhar Primary Agriculture Co-operative Society Ltd. & Ors vs. The State of Bihar & Ors, reported in 2015(3) PLJR 189.***

I find substance in the submission of the petitioner.

In the result, this writ application is allowed and the impugned orders cancelling the licence of the petitioner are set aside. It would be open for the licensing authority to proceed afresh in accordance with law.

(Samarendra Pratap Singh, J)

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