

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10029 of 2013

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1. Rajiv Kumar Choudhary Son Of Shri Ramesh Prasad Choudhary
 Resident Of Village - Bharko, Post Office - Bharko, Police Station -
 Amarpur, District - Banka

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Food And Consumer
 Protection Department, Old Secretariat, Patna
 2. The Sub Divisional Officer - Cum - Licensing Authority, Banka
 3. The Senior Deputy Collector, Banka
 4. The Block Supply Officer, Banka Block, District - Banka
 5. The Block Supply Officer, Dhoraiya Block, District - Banka
 6. The Block Supply Officer, Rajaun Block, District - Banka

.... 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

2 13-08-2015 The petitioner prays for quashing of the order, dated
 4.4.2013 passed by the Sub Divisional Officer, Banka cancelling
 his licence.

The petitioner submits that the show cause does not give
 detail of the persons who made allegations against him.

On the other hand, learned State counsel submits that there
 are four different types of allegations against the petitioner and he
 has alternative remedy of appeal.

As the show cause is vague, the matter is remitted to the
 licensing authority to give another opportunity to the petitioner to

file show cause. It will be open for the licensing authority to give a copy of the report of the Block Development officer, Rajaun, if any, to the petitioner. The petitioner thereafter would be entitled to make a detail reply. The licensing authority on receipt of the reply would proceed to decide the matter on merit. The order cancelling license of the petitioner is set aside. However, as the cancellation order has been set aside on technical point, any further supply to the petitioner would depend upon the out come of the fresh order to be passed by the licensing authority.

In the result, this application is allowed.

(Samarendra Pratap Singh, J)

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