

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16250 of 2013

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1. Bashishtha Ray Son Of Late Jai Lal Ray Resident Of Village Baliya
 Indrajeet, P.S. Bochahan, Distt – Muzaffarpur Petitioner/s
 Versus

1. The State Of Bihar Through The Collector Muzaffarpur
 2. The Collector, Muzaffarpur
 3. The Sub-Divisional Officer, East Muzaffarpur Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
 For the Respondent/s : Mr. Radhika Raman

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

2 11-09-2015 The petitioner seeks quashing of the order dated 26.2.2013
 passed by the District Magistrate, Muzaffarpur in Supply Appeal
 Case No.12 of 2010 affirming the order dated 13.1.2011 passed by
 the Sub-Divisional officer, East, Muzaffarpur whereby the license
 of the petitioner has been cancelled.

A counter affidavit has been filed by the State justifying the
 order of cancellation of petitioner's licence.

The petitioner submits that in view of nature of allegation, it
 was necessary that a copy of the enquiry report ought to have been
 supplied to him.

I find substance in the submission of the petitioner that in
 the facts of the case the enquiry report ought to have been
 furnished to him.

In this view of the matter, the impugned order dated

26.2.2013 passed by the District Magistrate, Muzaffarpur in Supply Appeal Case No.12 of 2010 affirming the order dated 13.1.2011 passed by the Sub-Divisional officer, East, Muzaffarpur are set aside and the matter is remitted to the licensing authority to proceed afresh in accordance with law after furnishing a copy of the enquiry report to the petitioner. The petitioner must appear in person before the licensing authority within four weeks on receipt of the enquiry report.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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