

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21277 of 2013

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Radha Kant Giri, S/o Late Uma Shankar Giri, Resident of Village -
Lachhawar, P.S. Thawe, District - Gopalganj

.... Petitioner

Versus

1. The State of Bihar through the Commissioner, Saran Division at Chapra
2. The Commissioner, Saran Division at Chapra
3. The Collector, Gopalganj
4. The Sub Divisional Officer, Gopalganj
5. The Block Supply Officer, Barauli, Gopalganj
6. The Supply Officer, Manjha, Gopalganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Respondent/s : Mr. Roy Shivaji Nath

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

3 14-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks quashing of order dated 17.06.2013, passed by the learned Divisional Commissioner, Saran in Supply Appeal Case No. 17 of 2012 affirming the order dated 09.12.2011 passed by the Collector, Gopalganj (Appellate Authority) in Supply Appeal No. 09 of 2011 and the order dated 13.08.2011 passed by the Sub-Divisional Officer, Gopalganj cancelling his P.D.S. license.

Learned counsel for the petitioner by referring to the impugned orders submits that the licensing authority has gone beyond the matters covered under the show-cause notice, while cancelling his license. He next submits that the copy of the

enquiry report has not been given to him. He submits that non-supply of enquiry report has caused serious prejudice to him.

In the facts and circumstances of the case, the matter is remitted to the Sub-Divisional Officer, Gopalganj for fresh consideration after supplying the copy of the enquiry report to the petitioner. The impugned orders passed by the respondent nos. 2 to 4 are set aside. The petitioner would appear before the licensing authority within four weeks from today.

The resumption of supply of trade articles would depend upon fresh adjudication made by the licensing authority.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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