

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23170 of 2013

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Devani Devi, Wife of Sri Sitaram Yadav, Gram Panchayat- Kujari, resident
of Village Kujari, Block- Palsi, P.S.- Palasi, District- Araria.

.... Petitioner.

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply
Department, Old Secretariat, Patna.
2. The Secretary, Food & Civil Supply Department, Old Secretariat, Patna.
3. The District Magistrate, Araria.
4. The Licensing Officer-cum-the Sub-Divisional Magistrate, Araria.
5. The Block Supply Officer, Palasi, District- Araria.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Respondent/s : Mr. Radhika Raman

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

ORAL ORDER

3 17-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner submits that while cancelling the
license, the respondents have traversed beyond the show-cause.
He submits that it would appear from the order of the licensing
authority that the license has been cancelled also taking into
consideration that K. Oil was not supplied in time, though the
same did not form part of the show-cause.

Counsel for the petitioner was not able to show
whether this point was taken before the appellate authority.

In the facts of the case, I am inclined to grant one
opportunity to the petitioner to take resort before the appellate
authority.

In the circumstances, the impugned order passed by the appellate authority is set aside and the matter is remitted to the appellate authority for fresh consideration. It will be open for the petitioner to file an affidavit supplementing the grounds taken in appeal.

The writ application is allowed only to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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