

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9544 of 2014

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1. Jawahar Lal Mahto son of Late Babulal Mahto Resident of village - Birakh, P.S. Sursand, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Food and Civil Supplies, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, District - Sitamarhi.
4. The Sub-Divisional Officer, Pupri, District - Sitamarhi.
5. The Senior Deputy Collector, Sitamarhi, District - Sitamarhi.
6. The Block Supply Officer, Sursand, District - Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
 Mr. Pushpendra Kumar Singh
 For the Respondent/s : Mr. Ajeet

Kumar, SC 28

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 18-09-2015 The petitioner holds a P.D.S. licence bearing License No.03/2011 within Birakh Gram Panchayat in the district of Sitamarhi. The petitioner has assailed the order dated 30.11.2013 passed by the Sub-Divisional Officer, Pupri cancelling his licence.

I find that the licence has been cancelled on the basis of enquiry report which contains a number of allegations. In my view, a copy of the enquiry report in such circumstances ought to have been served upon the petitioner. The respondents have annexed a copy of the enquiry report with the counter affidavit.

Now that the petitioner is in know-how of the enquiry

report, he would file a fresh show cause within a period of four weeks from today. Thereafter, the licensing authority would proceed to dispose of the matter in accordance with law. The impugned order dated 30.11.2013 passed by the Sub-Divisional Officer, Pupri cancelling license of the petitioner is set aside. There would be no resumption of supply of trade items to the petitioner till the matter is adjudicated by the licensing authority.

With the aforesaid observations and directions, this writ application stands disposed of.

(Samarendra Pratap Singh, J)

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