

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14901 of 2013

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Abhay Kumar, Son of Late Brahmdeo Sharma, Resident of Village -
Mehus, P.S. Mehus, District – Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
3. District Magistrate, Sheikhpura
4. Sub Divisional Officer, Sheikhpura
5. Block Supply Officer, Sheikhpura

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar thakur, Advocate

: Md. Imteyaz Ahmad, Advocate

For the Respondent/s : Mr. Manindra Kishore Singh, SC-6

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 21-08-2015

Heard learned counsel for the petitioner and the State.

The petitioner prays for setting aside the order dated 24.05.2013 passed in appeal, whereby the order of the licensing authority dated 26.10.2012 has been affirmed.

The petitioner submits that the copy of the inspection report has not been given to him, which has caused prejudice from making effective reply.

Counsel for the respondents submits that there is a remedy of revision before the learned Divisional Commissioner.

In view of the grounds taken in this application, the matter is remitted to the licensing authority to proceed afresh in accordance with law. As the inspection report has annexed in the

counter affidavit and the petitioner is now known about the inspection report, he would file a fresh show-cause reply within six weeks from today. Thereafter the licensing authority would decide the matter in accordance with law.

In the result, this application is allowed. The impugned orders passed by the licensing authority and the appellate authority are set aside.

(Samarendra Pratap Singh, J.)

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