

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24602 of 2013

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Gaya Prasad @ Gaya Prasad Sharma, Son of Late Rupeshwar Prasad,
Resident of Village- Kespa, Police Station- Alipur, District- Gaya
..... Petitioner

Versus

1. The State of Bihar
2. The Commissioner, Magadh Division, Gaya
3. The District Magistrate, Gaya
4. The District Supply Officer, Gaya
5. The Sub-Divisional Officer, Tekari, District- Gaya
6. The Block Supply Officer, Tekari, District- Gaya

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Advocate
For the Respondent/s : Mr. Subhash Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 13-08-2015 Heard learned counsel for the petitioner and the State.

2. The petitioner prays for setting aside the order cancelling his P.D.S. license by respondent no.5, which was affirmed in appeal by respondent no.3.

3. Learned counsel for the petitioner submits that though he has filed his show-cause reply, which has been duly received by the office of the licensing authority, still the license was cancelled on the premise of not filing any show-cause reply.

4. I find from Annexure-4, that show-cause reply was received by the office of the Sub-Divisional Officer, Tikari, Gaya, in this view of the matter, the impugned orders are set aside. The Sub-Divisional Officer, Tikari, Gaya would proceed further

against the petitioner in accordance with law after considering the show-cause reply contained in Annexure-4. It will be open for the petitioner to file copy of the show-cause reply before the licensing authority.

5. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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