

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17765 of 2013

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Ganesh Paswan S/O Late Kuse Paswan Resident Of Village- Poyaria
Makhnahi, Police Station- Bishnupur, District- Darbhanga

.... Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Consumer Protection, Government Of Bihar, Patna.
2. The Principal Secretary, Department Of Consumer Protection, Government Of Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The Sub Divisional Officer, Sadar, Darbhanga, District Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : Mr. Anand Kumar Ojha, Advocate

For the Respondents : Mr. Ajay

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

5 04-09-2015 The petitioner being PDS licensee within Darbhanga dist
prays for setting aside order dated 13.1.2012, passed by
respondent no.4 as well as appellate order dated 12.4.2013,
passed by respondent no.3 on the following grounds:-

(1) The shop was closed on the date of inspection. The
petitioner was absent and only his son was present (2) no stock
displaying board was displayed and (3) consumers available at
the place made several complaints regarding unruly supply of
commodities.

The petitioner submits that allegations are trivial and
vague. No reference of any specific consumer has been made.
The show cause reply filed by him has not been considered by

any of the authorities. The cancellation order has been passed in view of directives of superior authorities.

I find substance in the submission of the petitioner.

In the result, the writ petition succeeds and the impugned orders are set aside with liberty to the respondents to proceed in accordance with law.

(Samarendra Pratap Singh, J)

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