

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24102 of 2013

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Vikamaditya Yadav S/O Sri Brahamanand Yadav Resident Of Village -
Khawashpur, P.S. Barhara, District – Bhojpur Petitioner

Versus

1. The State Of Bihar Through The Collector, Bhojpur At Ara
2. The Sub Division Officer, Sadar, Distt. - Bhojpur At Arrah
3. The Block Supply Officer, Barhara, Bhojpur At Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
For the Respondent/s : Mr. Vivekanand Singh, AC to GA 8.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

5 24-11-2015 The petitioner seeks quashing of order dated 19.09.2013, passed by respondent No. 2 by which petitioner's PDS licence has been cancelled without issuing him show cause notice.

Learned counsel for the petitioner submits that from perusal of the impugned order dated 19.9.2013 it appears that no show cause was served on the petitioner even on 22.08.2013 and 24.8.2013, as the petitioner was not available in the shop.

I find substance in the submission of petitioner. The writ petition succeeds and order dated 19.09.2013 is aside with following directions;-

The petitioner would appear before the licensing authority within three weeks, thereafter he would be served a copy of the show cause as well as the enquiry report forthwith.

The petitioner would be at liberty to file its reply which would be considered on its own merit without prejudice. There would be no resumption of supply till final order is passed by the Licencing authority.

(Samarendra Pratap Singh, J)

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