

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14822 of 2014

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Jai Prakash Rai Son of Late Punit Rai Resident of Village - Narayanpur
Dedhpura, P.S. - Mahnar, District - Vaishali. Petitioner

Versus

1. The State of Bihar through the Secretary, Food AND Civil Supply
Department, Old Secretariat, Patna.
 2. The Secretary, Food AND Civil Supply Department, Old Secretariat,
Patna.
 3. The District Magistrate, Vaishali.
 4. The Sub-Divisional Officer, Mahnar, District - Vaishali.
 5. The Block Supply Officer, Mahnar, District - Vaishali.
 6. The Circle Officer, Mahnar, District - Vaishali. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh
For the Respondent/s : Mr. Gp7- Dhurjati Kumar Prasad

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner holds a P.D.S. license within Gram Narayanpur Dedhpura, Mahnar, district Vaishali. He prays for quashing of order dated 24.6.2014, passed by respondent no.4 by which his PDS licence has been cancelled.

The petitioner submits that the show-cause notice itself was defective, as it did not mention the proposed punishment, in case the show-cause reply is not found satisfactory.

The contention of the petitioner has substance. This Court has observed that in matters of P.D.S. license, the authority issuing the show-cause notice must express the proposed punishment sought to be inflicted, which is absent in

the instant case.

In the result, this writ application succeeds. The impugned order is set aside. The licensing authority would be at liberty to proceed afresh in accordance with law.

(Samarendra Pratap Singh, J)

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