

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21292 of 2014

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Giro Devi, W/o Arun Kumar Sah, Resident of Village- Dharampur Binni,
P.S. - Makheshkhunt, Distt. - Khagaria.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Khagaria
2. The Collector, Khagaria.
3. The Sub Divisional Officer, Gogri, Khagaria.
4. The Block Supply Officer, Gogri, District - Khagaria.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Anujit Sinha, Advocate

For the Respondent/s : Mr. AC to GP-30

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

2 22-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner holds a P.D.S. license, bearing license
no. 92 G of 2007, within Gogari Block in Khagaria District.

The petitioner's license has been cancelled by the
licensing authority on the ground of alleged violation of terms of
P.D.S. Order as well as on the grounds of institution of a criminal
case.

Clause 7(ii) of 2007 Orders mandates that a P.D.S.
license ought not to be cancelled without affording an opportunity
of hearing. As per Clause 14 of the 2001 Order notified in 2007, a
license cannot be cancelled merely on institution of a criminal
case.

The impugned order apparently seems to be passed

without affording an opportunity of hearing, as such the impugned order is set aside and the matter is remitted to the licensing authority with liberty to proceed afresh after providing show-cause notice to the petitioner.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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