

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9289 of 2014

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1. RAM KISHORE THAKUR Son of resident of Village AND Panchayat
 - Baghari, Block - Sursand, P.S. Sursand, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Civil Supply Department,
 Govt. of Bihar, Patna
 2. The District Magistrate, Sitamarhi
 3. The Sub - Divisional Officer, Pupri, Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate
 Mr. Kumar Kaushik, Advocate
 Mr. Murad Ashraf, Advocate

For the Respondent/s : Mr. R.R. K Pandey, SC 29

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

2 11-09-2015 The petitioner prays for setting aside order dated
 13.6.2013, passed by the SDO, Pupri, Sitamarhi canceling his PDS
 license on the ground that he was not served with the copy of the
 enquiry report before passing order as well as show cause does not
 contain the names of complaints of the consumers.

Respondents have filed counter affidavit annexing the copy
 of the enquiry report.

I find substance in the submission of the petitioner that
 without a copy of the enquiry report and a copy of the complaint
 filed by the consumers, he will not be in a position to file his
 effective reply.

In the result this writ application is allowed and the impugned order, dated 13.6.2013 passed by the SDO, Pupri, Sitamarhi is set aside with liberty to the respondents to proceed afresh after serving a copy of the complaint to the petitioner.

(Samarendra Pratap Singh, J)

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