

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8075 of 2013

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Md. Moajjam Ansari S/O Md. Masnoon Resident Of Village And P.O-
Chak Hamid, P.S- Bakhari, District- Begusarai.

.... Petitioner

Versus

1. The State Of Bihar Through The Secretary, Food And Consumer
Protection Department, Old Secretariat, Patna.
2. The Sub- Divisional Officer, Bakhari, District- Begusarai.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajiv Kr.Labh, Advocate

For the Respondent/s : Mr.

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

ORAL ORDER

5 27-08-2015 The petitioner seeks quashing of the order dated
14.3.2011 and order dated 2.3.2012 by which his licence has
been suspended and then cancelled in view of institution of FIR.

Learned counsel for the petitioner submits that after
23.6.2011 amendments, a license cannot be cancelled on the
ground of institution of FIR. He further submits that suspension
and cancellation of license are two separate punishments and
both cannot be inflicted.

Plea of the petitioner is well covered by several decisions
of this Court. In the result, the impugned orders suspending and
cancelling petitioner's license are set aside with liberty to the
respondents to proceed afresh.

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(Samarendra Pratap Singh, J)