

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13616 of 2013

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1. Durga Prasad Son Of Late Ram Chandra Prasad Resident Of Kajitola,
P.S. Town, Dist. Bhojpur At Arrah Petitioner

Versus

1. The State Of Bihar Through The Secretary, Food And Civil Supply
Corporation, Govt. Of Bihar
2. The Sub Divisional Officer, Sadar, Arrah
3. The Marketing Officer, Arrah Respondents

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari
Mr. Anujit Sinha, Advocate

For the Respondent/s : Mr. Praveen Kumar, AC to GP 22

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

ORAL ORDER

3 07-09-2015 The petitioner is a PDS dealer under Ara Sub Division. His
licence has been cancelled by order dated 26.4.2013 passed by the
Sub-Divisional Officer, Sadar, Arrah, even without issuing show
cause notice to the petitioner, on the ground of pendency of
criminal case under the Essential Commodities Act.

I find that the impugned order is not sustainable as the same
has been passed even without affording show cause notice to the
petitioner. The impugned order dated 26.4.2013 passed by the
Sub-Divisional Officer, Sadar, Arrah is set aside and the matter is
remitted to him with liberty to proceed afresh in accordance with
law.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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