

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3548 of 2014

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Tengari Ram, son of Late Brahm Deo Ram, resident of Village - Hardian,
P.S. Jagdishpur, District - Bhojpur

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Department of Food and Civil Supplies
2. The Collector, Bhojpur at Arrah
3. The Sub Divisional Officer, Jagdishpur, District - Bhojpur
4. The District Supply Officer, Bhojpur, Arrah
5. The Block Supply Officer, Jagdishpur, District - Bhojpur
6. The Assistant Godown Manager, P.D.S. Jagdishpur, District - Bhojpur

.... Respondents

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Appearance :

For the Petitioner/s : Md. Ataul Haque

For the Respondent/s : Mr. Ga5- J.S.Barnawal

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioner and the respondents.

The petitioner is a P.D.S. dealer, bearing license no. 141 of 2009 under Jagdishpur Block in the district of Bhojpur.

The petitioner seeks quashing of the order dated 17.04.2012 passed by licensing authority, which was affirmed in appeal vide order dated 16.12.2013, passed in Revenue Appeal No. 29 of 2012-13.

The petitioner has raised two points. He submits that the copy of inspection report was not given to him and two days time granted to file show-cause was too short.

It appears from the show-cause notice of the licensing

authority that a number of complaints have been made, however, the name of the complainants were not mentioned. Furthermore, two days time to file show-cause, in my view is too small a time for making effective reply.

In the result, this application succeeds. The impugned orders passed by the licensing authority as well as appellate authority are set aside. The matter is remitted to the licensing authority for starting a fresh proceeding after giving a copy of the inspection report. It is expected that the proceeding would be completed preferably within a period of four months from the date of receipt of a copy of this order.

This application stands allowed.

(Samarendra Pratap Singh, J.)

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