

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1639 of 2014

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Tula Kant Jha S/O Late Upendra Jha Resident Of Village- Rahika, P.S.-
Rahika, District- Madhubani Petitioner

Versus

1. The State Of Bihar Through The District Magistrate, Madhubani
2. The Sub Divisional Officer, Sadar Madhubani
3. The Block Supply Officer, Rahika Respondents
- =====

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Senior Advocate and
Mr. D.N.Tiwari, Advocate
For the Respondent/s : Mr. Anil Kr Uapdhyay, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

5 30-11-2015

The petitioner prays for setting aside order dated
25.9.2012, passed by respondent no.2 by which his PDS license
no. 344/2008 has been cancelled.

The petitioner submits that he had been taken into
custody on account of filing of Rahika Police Station case no.
134 of 2012 under section 7 of the EC Act on 31.8.2012 in
which he had been released on 1.10.2012. As the show cause
had been issued to him on 31.8.2012, he could not file his
effective reply and on 25.9.2012 his PDS license was cancelled.

I find substance in the submission of the petitioner.
The impugned order is set aside with direction to the petitioner
to submit his show cause reply within a period of four weeks
from today, whereafter the respondents may proceed in
accordance with law.

Shashi.

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(Samarendra Pratap Singh, J)