

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8546 of 2014

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1. Sidhnath Choudhary son of Late Badari Choudhary resident of village -
Mahabalipur, P.S. Paliganj, District – Patna Petitioner

Versus

1. The State of Bihar through D.M., Patna
2. The S.D.O. Paliganj and Block Supply Officer, Paliganj, District - Patna
.... Respondents

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate
Mr. Vijay Anand, Advocate
For the Respondent/s : Mr. Neeraj Kumar, AC to SC 22

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 05-10-2015 The petitioner seeks quashing of the order, dated 7.2.2014 passed by the Sub-Divisional Officer, Paliganj cancelling his licence .

The petitioner submits that the show cause notice issued is not in consonance with the provisions of clause 7(ii) of the Bihar Fair Price Shops Order, 2007 as the same was not a notice against proposed cancellation. The petitioner in support of his submission has relied upon a decision of this court in the case of *Parsauni Khirodhar Primary Agriculture Co-operative Society Ltd. & Ors vs. The State of Bihar & Ors, reported in 2015(3) PLJR 189.*

I find substance in the submission of the petitioner.

In the result, this writ application is allowed and the impugned order cancelling the licence of the petitioner is set aside with liberty to the licensing authority to proceed afresh in accordance with law.

(Samarendra Pratap Singh, J)

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