

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11055 of 2013

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Satish Chaudhary, Son of Late Sheo Dayal Chaudhary, Resident of Village
+ P.O. - Koath, P.S. - Dawath, District - Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. The District Officer, Rohtas at Sasaram
3. The District Supply Officer, Rohtas at Sasaram
4. The Sub-Divisional Officer, Bikramganj, District - Rohtas
5. The Block Supply Officer-Dawath, District - Rohtas

.... Respondents

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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

ORAL ORDER

4 28-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is a P.D.S. dealer. His license was earlier cancelled on 17.09.2012 by the licensing authority. Thereafter he moved the Collector in Appeal. The Collector vide order dated 11.12.2012 set aside the order of the licensing authority on the grounds that there was violation of principles of natural justice.

The petitioner submits that again his show-cause has not been considered. He further submitted that the licensing authority was influenced by the respondents that the petitioner was an accused in a criminal case.

I find that the licensing authority substantially relied

upon the criminal case again.

In the facts and circumstances of the case, the impugned order dated 10.04.2013, passed by the licensing authority, is set aside and the matter is remitted to him to pass a reasoned order without taking into account the criminal case lodged against the petitioner, as a license cannot be cancelled on the ground of pendency of a criminal case, with liberty to proceed afresh in accordance with law.

The writ application is allowed to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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