

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3148 of 2013

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Anil Kumar, Son of Sri Ram Nandan Singh, resident of Bhagwanpur, P.S.-
Makhdumpur, Distt.- Jehanabad

.... Petitioner.

Versus

1. The State of Bihar through the Collector, Jehanabad
2. The Collector, Jehanabad
3. The Sub-Divisional Officer, Jehanabad
4. The Block Supply Officer, Makhdumpur, Jehanabad

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Respondent/s : Mr. Yogendra Kr. Singh, AC to SC-15

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

3 07-08-2015

The petitioner prays for quashing the order dated 25.09.2012 passed by Sub-Divisional Officer, Jehanabad by which he has cancelled the P.D.S. license of the petitioner, bearing license no. 51 of 2007.

2. It appears that in spite of lot of opportunities, the petitioner did not file his show-cause, the Sub-Divisional Officer, Jehanabad as such cancelled the license.

3. Learned counsel for the petitioner submits that the copy of the enquiry report was not given to him.

4. In my view, the licensing authority should have also provided a copy of the enquiry report as well, as the allegations are more than one.

5. In view of Division Bench order dated 06.09.2004

passed in L.P.A. No. 861 of 2004, I set aside the impugned order.

5. Now that the copy of the inspection report is annexed as Annexure-A to the counter affidavit, the petitioner would file his show-cause reply within four weeks from today. In case, no show-cause is filed within four weeks, the earlier order passed by the licensing authority would survive. It is further observed that in case any 3rd party right have created by this time, the petitioner should first challenge the fresh appointment.

6. With the aforesaid direction, this application is allowed to the extent mentioned above.

(Samarendra Pratap Singh, J.)

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