

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10922 of 2015

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1. Shambhu Paswan son of Shri Gajo Paswan, Resident of village- Raksi, Panchayat- Uttari Lodhaway, Police Station- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Sub-Divisional Officer, Sadar Gaya.
3. The Block Supply Officer, Fatehpur, Dist- Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Respondent/s : Mr. Manikant Mishra

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 24-11-2015 The petitioner, who is a PDS dealer within the Fatehpur Block in the district of Gaya, seeks quashing of the order dated 29.9.2014 passed by the Sub-Divisional Officer, Sadar Gaya whereby his PDS license bearing license No.64/07, has been cancelled.

It appears that cancellation of license has been passed as the petitioner did not furnish his show cause reply to the show cause notice.

The petitioner submits that on account of unavoidable circumstances, he could not submit his show cause reply. He further submits that the enquiry report has not been furnished to him.

Having considered the facts and circumstances of the case, the impugned order dated 29.9.2014 passed by the Sub-Divisional Officer, Sadar Gaya is set aside. The petitioner would appear before the disciplinary authority, who would furnish a copy of the enquiry report to him. Thereafter, the petitioner would file his show cause reply within two weeks. The licensing authority would thereafter proceed to dispose of the matter after considering the show cause reply of the petitioner in accordance with law preferably within three weeks. Till then, there would be no resumption of trade articles to the petitioner.

(Samarendra Pratap Singh, J)

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