

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15494 of 2013

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Anil Kumar Son Of Sri Satyendra Prasad Gupta Resident Of Sursand, P.S.
Sursand, District - Sitamarhi Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna
2. The Secretary, Department Of Food And Civil Supplies, Government Of Bihar, Patna
3. The District Magistrate, Sitamarhi, District - Sitamarhi
4. The District Supply Officer, Sitamarhi, District - Sitamarhi
5. The Sub - Divisional Officer, Pupri, District - Sitamarhi
6. The Block Supply Officer, Sursand, District - Sitamarhi

..... Respondents

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Appearance :

For the Petitioner/s : Mr.NK Agrawal, Sr. Advocate and
Mr. Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr. S.D. Sanjay, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 11-09-2015 The petitioner prays for setting aside order dated 13.6.2013, passed by the SDO, Pupri, Sitamarhi canceling his PDS license on the ground that he was not served with the copy of the enquiry report before passing order as well as show cause does not contain the names of complaints of the consumers.

Respondents have filed counter affidavit annexing the enquiry report.

I find substance in the submission of the petitioner as without copy of the enquiry report and a copy of the complaint filed by the consumers, he will not be in a position to file its reply.

The writ petition is allowed and the impugned order is set aside with liberty to the respondents to proceed afresh after serving copy of the complaints of the consumers to the petitioner. The petitioner is in receipt of the enquiry report appended with the counter affidavit.

The petitioner must file his show cause reply within four weeks from today.

(Samarendra Pratap Singh, J)

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