

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17941 of 2013

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1. Ramchandra Rai Son Of Bishnudeo Rai Resident Of Village- Mahnad
Turi, Police Station- Kathara (Garaul), District- Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Vaishali, Hazipur
3. The Sub Divisional Officer, Mahua
4. The Block Supply Officer, Chehrakala, Hazipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha

For the Respondent/s : Mr. A.Ujjwal

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 20-08-2015 The petitioner is the holder of License No. 07 of 2007 under Public Distribution System within Chehrakala Block, District-Hajipur.

The petitioner is aggrieved by order dated 30.01.2013 passed by Sub-Divisional Officer, Mahua contained in Annexure-2, whereby his license has been cancelled.

The petitioner has raised two points. Firstly, without giving reasonable opportunity to the Petitioner for submitting the reply to the show cause, the license should not be cancelled. In support of his submission, the petitioner has relied upon the order dated 21.01.2015 passed in CWJC No. 20803 of 2014 by which it appears that notice does not indicate cancellation of license. The

notice must indicate the proposed consequence, in case the reply is found unsatisfactory. The petitioner further submits that even copy of the inspection report, on the basis of which show-cause notice was issued, was not supplied to him.

In this view of the matter, the impugned order dated 30.01.2013 is set aside. The matter is remitted to the Licensing Authority to proceed afresh in accordance with law after affording an opportunity of hearing to the petitioner.

(Samarendra Pratap Singh, J)

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