

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20331 of 2013**

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Umesh Gupta @ Umesh Prasad Gupta Son Of Late Gaya Sah Resident Of  
Village / Mohalla - Sursand Cinema Road, P.S. - Sursand, District –  
Sitamarhi ..... Petitioner

Versus

1. The State Of Bihar , Through Its Secretary, Food And Civil Supply  
Department, Government Of Bihar, Patna
  2. The District Magistrate, Sitamarhi
  3. The Sub-Divisional Officer, Pupri, Sitamarhi . .... Respondents
- =====

**Appearance :**

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate  
Mr. Kr.Kaushik, Advocate  
Mr. M.Ashroa, Advocate

For the Respondent/s : Mr. Rajiv Kumar Singh, Advocate

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

2      28-08-2015      The petitioner challenges order of the SDO, Pupri, dated  
13.6.2013, cancelling his PDS License no.3/1992.

The petitioner submits that a show cause notice was served on him on basis of inspection report of the Supply officer but the same had not been served on him. He submits that even cancellation order was passed without considering his show cause.

I find substance in the submission of the petitioner that if inspection report was taken into account while passing cancellation order, it ought to have been served on the petitioner.

The writ petition is allowed and impugned order is set aside with liberty to the respondents to proceed in the matter

afresh and pass final order within four months from the date of receipt of this order.

There would be no resumption of supply till final order is passed.

**(Samarendra Pratap Singh, J)**

Shashi.

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