

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19630 of 2013

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Arun Kumar Singh

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

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

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA

PRATAP SINGH

ORAL ORDER

3 04-09-2015

The petitioner seeks quashing of order dated passed by the SDO, Paliganj cancelling his PDS licence no. 227 of 2007 on the ground that (1) show cause notice does not state that if reply is not found to be satisfactory, then licence can be cancelled and (2) there was no consideration of show cause.

Case of the petitioner succeeds alone on the first issue as this Court, in several orders has held that the show cause notice with respect to cancellation of PDS licence must state the proposed punishment. Learned counsel has rightly relied upon a decision reported in 2010(3) PLJR 825.

The writ petition succeeds and the impugned order dated 9.9.2013 is set aside with liberty to the respondents to proceed in the matter afresh in accordance with law.

(Samarendra Pratap Singh, J)

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