

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19324 of 2013

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Vinay Chaudhari

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner is a holder of PDS licence under Block Paraiya in the district of Gaya. The licence of the petitioner has been cancelled primarily on the ground that he shifted his shop from the scheduled place at village Murgiya Bigha.

The petitioner submits that under the compelling circumstances he had to shift the shop from the said place, as some local muscle men forcibly demanded supply of trade items free of cost. In support of his submission, the petitioner refers to Annexure-2 which is a representation filed by him before the licensing authority. The petitioner submits that the licensing authority without considering his representation has passed the impugned order.

I find that the ground taken by the petitioner was not considered by the licensing authority.

In the result this writ application is allowed and the impugned orders cancelling the licence, which was affirmed in appeal, are set aside. The matter is remitted to the licensing authority for fresh consideration of the matter.

(Samarendra Pratap Singh, J)

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