

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14503 of 2014

Dhirendra Kumar Singh, S/o Late Ram Lakhan Singh, Resident of Village Vadan,
Police Station Wazirganj (Tankuppa), District Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The Sub Divisional Officer, Sadar Gaya, District Gaya.
3. The Block Supply Officer, Tankuppa, District Gaya.

.... Respondents

Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate

For the State : Mr. Mehtab Alam, A.C. to S.C. 20

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-11-2016

I.A. No.7745 of 2016:

Learned counsel for the petitioner is permitted to make correction with regard to number of Annexure appended with the interlocutory application.

This interlocutory application has been filed for amendment in the writ petition by introduction of relief for quashing

of the order dated 14.08.2014 as contained in Annexure 4 to the interlocutory application.

In view of the fact that the order as contained in Annexure 4 was passed on the date on which the affidavit was sworn in the writ petition i.e, on 19.08.2014 and the petitioner claims that he did not have any knowledge of the order on the earlier occasion, the same is allowed. The petitioner is permitted to assail Annexure 4.

C.W.J.C. No.14503 of 2014:

Heard parties.

It appears from Annexure 4 that the petitioner was absconding as F.I.R. was lodged against him under Section 7 of the E.C. Act and, thus, the notice issued under Section 7(ii) of the Public Distribution System (Control) Order, 2001 was affixed on his door. Since he did not file any reply, his licence has been cancelled.

However, it is submitted that the petitioner could not file reply to the show cause notice as admittedly he did not receive the notice.

In above view of the matter, this Court is inclined to grant another opportunity to the petitioner to file reply to the show cause notice. If such reply is filed within a period of 30 days then let the same be considered and fresh order be passed by the Licensing Authority after consideration of the grounds raised in the reply in

accordance with law.

Accordingly, the impugned order is quashed and set aside.

However, if the petitioner again chooses not to file his reply within the aforesaid period then the impugned order would admittedly stand revived.

This writ application stands disposed of with the aforesaid observations and directions.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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