

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4543 of 2016

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Naresh Prasad, Son of Loka Sao, Resident of Village- Kaladih Police Station
Tankuppa District Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate Gaya.
3. The Sub-Divisional Officer, Sadar Gaya District Gaya.
4. The Block supply Officer, Tankuppa Distt Gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Respondent/s : Mr. Prabhakar Jha, G.P-27

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 04-08-2016

Heard parties.

The sole issue raised in the writ petition is that the show cause notice is vague and does not indicate that it was issued for cancellation of licence.

It is contended that this issue is no longer *res integra* having been considered and decided several times by this Court. A reference is made in this regard to an unreported decision rendered in CWJC No.7431/2016 dated 29.06.2016 (Vijendra Prasad Vs. The State of Bihar and Ors.).

I find that the show cause notice, as contained in Annexure-1, is vague and does not appear to have been issued for

proposed order of cancellation of licence.

Accordingly, this writ application stands allowed in terms thereof. The order impugned dated 4.01.2016 passed by the Sub-Divisional Officer-cum-Licensing Authority, Sadar, Gaya, as contained in Annexure-3, is quashed and set aside. As a consequence thereof, the licence of the petitioner stands restored.

However, it is made cleat that the licensing authority, if so desires, would be at liberty to initiate a fresh proceeding against the petitioner for irregularities, if any, committed by him.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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