

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18816 of 2016

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Ram Nandan Mahto, Son of Ram Uchit Mahto, resident of village - Harichak, P.S. Bhagwanpur, District Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary Food and Consumer Protection Department, Bihar, Patna
3. The District Magistrate, Begusarai
4. The District Supply officer, Begusarai
5. The Sub - Divisional officer, Teghara, Begusarai
6. The Block Supply officer, Bhagwanpur, Begusarai
7. Rajiv Kumar Jha Son of Late Ramcharitra Jha resident of village - Sanjat, P.O. Sanjat, P.S. Bhagawanpur, District Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Respondent/s : Mr. S. RAZA AHMAD- AAG5

Mr. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 01-12-2016

Heard parties.

The petitioner is aggrieved by the order dated 8.11.2016 passed by the Sub-Divisional Officer-cum-Licensing Authority, Teghara, Begusarai (Annexure-1) by which his PDS licence No. 5/1987 has been cancelled.

It is contended that the order has been passed without granting any opportunity to the petitioner as no show cause notice was issued.

I find force in the submission made on behalf of the



petitioner. It is apparent from Annexure-1 that in view of certain directions given in CWJC No.3691 of 2014, some enquiry was made by the Block Supply Officer, Bhagwanpur, Begusarai holding that the petitioner was engaged as Lecturer in Sri Mahto Satyanarayan Prasad College, Sanjat, Bhagwanpur. However, it is apparent that, after enquiry, no show cause notice was given to the petitioner as there is no discussion regarding that.

Learned counsel for the petitioner has submitted that, in fact, no show cause notice was issued against the petitioner and he is not an employee of any college.

Accordingly, this writ application is allowed. The impugned order, as contained in Annexure-1, is quashed and set aside.

However, the authority concerned would be at liberty to initiate a fresh proceeding by issuing a proper show cause notice, if it so desires.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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

