

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9435 of 2017

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Sri Krishna Singh @ Shambhu Singh son of Mahesh Singh age- 46 years,
resident of Village- Dilliyan, Anchal Agiaon, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Food & Civil Supplies Department.
2. The District Magistrate Bhojpur, Ara.
3. The Sub- Divisional Officer, Sadar Ara, Bhojpur.
4. The District Supply Officer, Bhojpur, Ara.
5. The Block Development Officer, Block- Agiaon, District- Bhojpur.
6. The Block Supply Officer, Block- Agiaon, District- Bhojpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Adv

For the Respondent/s : Mr. SANJAY KR.GIRI-GP9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-11-2017

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for quashing the order contained in memo no. 3249 dated 22.12.2016 passed by the Sub-Divisional Officer, Sadar, Ara whereby and whereunder the allotment and distribution of the food grains and kerosene oil against licence no. 72 of 2011 was kept in abeyance with further direction to bring a proposal for attachment of the licence.

3. Learned counsel for the petitioner makes a short submission to assail the impugned order on the ground that a copy of the enquiry



report was not made available to the petitioner and he was never confronted with the same with an opportunity of being heard or adducing evidence in that regard.

4. Learned counsel for the respondents appears and has been heard.

5. In the above view of the matter, this Court is satisfied that non-supply of the enquiry report to the petitioner has resulted in violation of natural justice and thus the decision making process stands vitiated. The impugned order dated 22.12.2016 (Annexure-1) is hereby quashed and the matter remanded to the Sub-Divisional Officer, Sadar, Ara for taking decision afresh in the matter after supplying a copy of the enquiry report to the petitioner and granting an opportunity of hearing in accordance with law. Supplies to the petitioner shall be restored without delay until fresh orders are passed by the Respondent no. 3.

6. The writ petition stands allowed as above.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.11.2017
Transmission Date	N.A.

