

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12245 of 2017

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Anil Kumar Keshari, Son of Late Sitaram Keshari, P.D.S. Dealer, Sahari Mohalla,
Housing Colony Line, P.S.- Ara Nawada, District- Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate, Ara.
3. The Sub-Divisional Officer, Sadar, Ara, District- Ara.
4. The Block Supply Officer, Sadar Ara, District- Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Adv.

For the Respondent/s : Mr. S.K. Giri - GP9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 12-09-2017

Heard learned counsel for the parties.

In the present case, the petitioner is challenging the order dated 11.2.2017 passed by the Sub-Divisional Officer, Sadar, Ara, whereby and whereunder, the license of the petitioner bearing License No. 163 of 2007 has been cancelled.

From the records, it appears that petitioner is running a P.D.S. shop, an enquiry was conducted by the Block Supply Officer, Sadar, Ara who submitted the enquiry report about anomalies found during inspection made on 3.2.2017, consequently, the show-cause was issued to the petitioner vide letter dated 6.2.2017 calling upon the petitioner to file explanation. The petitioner filed his objection but



instead of considering the same, the S.D.O., Sadar, Ara, has passed a cryptic order, inasmuch as, the order has been passed on the basis of enquiry report which was never served upon the petitioner.

In that view of the matter, the order dated 11.2.2017 is set aside and the matter is remanded back with a direction to the S.D.O., Sadar, Ara to furnish the enquiry report to the petitioner and after giving an opportunity of hearing to the petitioner will pass a reasoned order in accordance with law.

This application is, accordingly, allowed to the aforementioned extent.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.09.2017
Transmission Date	NA

