

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4098 of 2015

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Raj Kumar Paswan son of Late Ram Deo Paswan, Resident of village- Khagaur,
Police Station- Lakhisarai, district- Lakhisarai, the public Distribution System
Dealer being Licence No.05 of 88 of Gram Panchayat Khagaur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Divisional Commissioner, Munghyr.
3. The District Magistrate, Lakhisarai.
4. The Sub Divisional Officer, Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar

For the Respondent/s : Mr. S.K. Sharma- GA1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 25-04-2017

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

In the present case, the petitioner is running a P.D.S.
Shop, was found involved in a wrong act and running the shop against
the provision of agreement as well as Control Order, led to issuance of
show-cause, ultimately the S.D.O., Lakhisarai, the Licensing
Authority, has found his action to be not in consonance with the term
of the license and the Control Order, passed the order cancelling the
license of the petitioner bearing License No. 05/1988 which was
challenged before the Collector who has discussed the issue and found
that the petitioner could not make out the case in his favour and after
discussion rejected the appeal. The revision application was filed



before the Divisional Commissioner, Munger in Supply Revision No. 287 of 2014 but, the Revisional Authority, without discussing the matter and without considering the points raised by the petitioner, rejected the revision application having not found any illegality in the order of the S.D.O., Lakhisarai and the Appellate Authority.

Even though the Revisional Authority does not find any favour with the petitioner but, in such a manner, he could not have rejected the revision application rather he was required to pass a reasoned order after discussing each and every aspect of the matter.

In that view of the matter, this Court finds that the impugned order dated 5.11.2014 passed by the Revisional Authority is not a reasoned order rather it is a cryptic and perfunctory in nature and the same is set aside. The matter is remanded back to the Divisional Commissioner, Munger to pass a reasoned order in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
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