

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8822 of 2016**

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1. Devi Hansda Wife of Suresh Kumar resident of village - Kari Ghati, P.S.  
Haveli Kharagpur, District Munger

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate Cum Collector Munger
3. The Sub - Divisional officer, Sub Division - Kharagpur, District Munger
4. The Block Supply Officer, Block - Haveli Kharagpur, District Munger

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sushmita Mishra

For the State : Mr. Jai Prabhat Kishore, AC to SC 13

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      13-04-2017      Heard learned counsel for the petitioner and learned  
counsel for the State.

In the present case, petitioner is challenging the order of  
the licensing authority dated 13.9.2011 wherein it has been  
mentioned that even after three consecutive adjournments  
petitioner did not come forward with her  
objection/explanation and that led to cancellation of the  
licence.

Petitioner has filed an appeal. There also the Appellate  
Authority has not dealt with this aspect of the matter and  
passed the order against the petitioner.

Learned counsel for the petitioner submits that before



passing the impugned order petitioner has filed objection on 9.9.2011 (Annexure 7 series) but he has no case to deal with his objection..

From the record it appears that licensing authority has recorded in the impugned order that no objection has been filed which led to cancellation of the licence but in fact it is wrong recording of fact, as Annexure 7 series indicates the objection filed by the petitioner..

In such view of the matter the order dated 13.9.2011 is set aside and the matter is remanded back to the Licensing Authority, Munger who will consider the objection and pass a reasoned order in accordance with law. This Court is not giving any opinion on the merit of the case.

With the aforesaid observation this writ petition is disposed of.

**(Shivaji Pandey, J)**

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