

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12453 of 2015

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1. Rekha Devi wife of Najir Sao the President of Champa Self Help Group,
Resident of village - Manakdiha, Panchayat - Gajadharpur, Police Station -
Tankuppa, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food
and Consumers Protection, Government of Bihar, Patna.
2. The Sub-Divisional Officer, Sadar Gaya.
3. The Block Supply Officer, Tankuppa, Dist. - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Respondent/s : Mr. Dr. Anshuman, S.C.-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-08-2017 Heard the learned counsel for the petitioner and

learned counsel for the State.

In this case the petitioner is challenging the order dated 14.08.2014 by which the license of the petitioner has been cancelled. The petitioner is running a P.D.S. shop vide License No. 08 of 2012. The shop of the petitioner was inspected on 10.07.2014 and there was shortage of kerosene oil and food grains, which leads to initiation of proceeding for cancellation of license inasmuch as criminal case was also lodged under Section 7 of E.C. Act vide Tankuppa P.S. Case No. 311 of 2014. From the order, it appears that the show cause notice could not be served upon the petitioner personally as the same was pasted on the door of the



house and ultimately the order has been passed against the petitioner. The order itself discloses that the notice was not served personally on the petitioner and the S.D.O. has not applied his judicial mind leads to order without any consideration.

In such view of the matter, the order dated 14.08.2014 is set aside and the matter is remanded back to the S.D.O., Sadar, Gaya for fresh consideration and passing the order afresh.

(Shivaji Pandey, J)

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