

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9328 of 2016

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Jagdish Paswan Son of Late Nandkeshwar Paswan Resident of village - Chauria,
Panchayat Kahudag, P.S. Barachatti, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food, Supply and Consumer Protection Department, Government of Bihar, Patna
2. The District Magistrate, Gaya
3. The District Supply officer, Gaya
4. The Sub - Divisional Office, Sherghati, District Gaya
5. The Block Supply Officer, Barachatti, District - Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.N. Yadav, Adv.

Mr. Nikhilesh Kumar, Adv.

For the Respondent/s : Ms. Archana Sinha, AC to GP-25

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-08-2017

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

In the present case, the petitioner is challenging the order
dated 28.1.2016 passed by the Collector, Gaya in Supply Case No. 43
of 2013.

The petitioner is running a P.D.S. shop, an inspection
was conducted by the Block Supply Officer, Barachatti, Gaya, on the
basis of the report of Block Supply Officer contained in letter no. 358
dated 28.6.2013, a proceeding was initiated against him and he was
served show-cause which was replied by the petitioner but, the same



was not to the satisfaction of the S.D.O., Sherghati who passed an order dated 30.7.2013 canceling the PDS licence of the petitioner. Against that order, the petitioner filed an appeal before the Appellate Authority i.e. Collector, Gaya who, vide order dated 28.1.2016, rejected the same but, from perusal of the aforesaid order, it does not disclose that he has applied his judicial mind rather it is a very cryptic order without any consideration.

In that view of the matter, the order dated 28.1.2016 passed by the Collector, Gaya is set aside and the matter is remanded back to the Collector, Gaya who will examine the case of the petitioner and will pass an order in accordance with law within a period of four months from the date of receipt/production of a copy of this order.

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

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.08.2017
Transmission Date	NA

