

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9155 of 2015

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Md. Muqdam @ Sk. Muqdam son of Late Md. Majibur Rahman, resident of
Village- Basagaon Udaypur, P.S.- Ajam Nagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through Collector , Katihar.
2. The Collector , Katihar,
3. The SDO, Barsoi, Katihar
4. The Block Supply Officer, Ajam Nagar, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Vijay Anand, Adv.

For the Respondent/s : Mr. Kinkar Kumar, SC-9
Mr. Yogesh Kumar, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 17-07-2017

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

In this case, the petitioner is challenging the order dated 14.8.2012 passed by the Collector, Katihar in Supply Appeal No. 31 of 2012/13, whereby and whereunder, the appeal filed by the petitioner has been cancelled and affirmed the order dated 3.9.2011 passed by the S.D.O., Barsoi, whereby, he has cancelled P.D.S. license of the petitioner on the ground that for last three months, the petitioner did not deposit the pay-in-slip which indicates that he has not lifted the essential goods for supply of the same to the consumers, whereafter, a show-cause was issued, led to cancellation of the license by the licensing authority. The order was challenged before the Collector, Katihar in



Supply Appeal No. 31 of 2012-13 and the Collector, without discussing anything, by a cryptic order dated 14.8.2012 rejected the appeal of the petitioner.

The order of the Collector, Katihar appears to be illegal as the Collector, Katihar has passed the impugned order without discussing in detail and arrived to a finding and he merely cannot dismiss the appeal by passing cryptic order.

Accordingly, the order of the Collector, Katihar dated 14.8.2012 is set aside with a direction to re-consider the appeal.

While considering the appeal, the appellate authority will also be obliged to consider the orders passed by this Court in C.W.J.C. No. 16437 of 2014 and C.W.J.C. No. 12099 of 2015 respectively and will dispose of the appeal 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	21.07.2017
Transmission Date	NA

