

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7958 of 2015

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1. Dudhnath Singh, Son of Late Shambhu sharan Singh, Resident of
Village- Ekdanga, P.S.- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Gopalganj.
3. The Sub- Divisional Officer, Hathwa, Gopalganj.
4. The Assistant District Supply Officer, Gopalganj.
5. The Block Supply Officer, Hathwa Block, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Respondent/s : Mr. Kumari Amrita, G.P.-10

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and the learned
counsel for the State.

In this case the petitioner is challenging the order dated 28.02.2015 passed in Supply Appeal Case No. 16/13. The appeal of the petitioner has been rejected without considering the points he raised in the memo of appeal. It appears that a proceeding was initiated by the S.D.O. for misdemeanour in running the P.D.S. shop. Ultimately the order was passed by the S.D.O. who had given notice which was replied by the petitioner and on consideration of the objection the S.D.O. has passed the order which was challenged before the appellate authority who was required to go into the merit of the case but instead of taking into



fact he has only simply recorded a finding that he has gone through the record. He has perused the order and found that all the parts have been gone into by the S.D.O. and the explanation submitted by the petitioner is not acceptable in law which itself discloses that it is completely a cryptic order.

In such view of the matter, this matter is remanded back to the appellate authority who will pass order within four months from the date of receipt of this order.

With this observation, this application is disposed of.

(Shivaji Pandey, J)

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