

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8954 of 2015

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1. Sri Vikaw Rai son of Ram Chandra Rai, resident of village- Narha, Police Station- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector, Sitamarhi.
3. The Sub-Divisional Officer-cum-Licensing Officer, Sitamarhi Sadar, District- Sitamarhi.
4. The District Supply Officer, Sitamarhi.
5. The Block Supply Officer, Bathnaha, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Pd. Yadav, Advocate

For the Respondent/s : Mr. P.N. Shahi- AAG-10

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 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 08.04.2013 passed by the S.D.O. whereby the licence of the petitioner has been cancelled. The petitioner is running a P.D.S. shop vide Licence No. 24 of 2007. As the petitioner was not running the shop properly, the S.D.O. has issued show cause notice. The explanation submitted by the petitioner was not found satisfactory which led to the cancellation of his license. It is not in dispute that the present proceeding was initiated on the basis of enquiry report and that enquiry was not served to the petitioner inasmuch as the order passed by the S.D.O. does not reflect that



the S.D.O. has applied his judicial mind inasmuch as order is completely a cryptic order.

In such view of the matter, the order dated 08.04.2013 passed by the S.D.O. is set aside with a direction that S.D.O. would serve a copy of the enquiry report proceed with in accordance with law, after giving fair hearing pass order in accordance with law.

With this observation, this petition is disposed of.

(Shivaji Pandey, J)

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