

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14874 of 2015

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Pramanand Rai Son of Late Khedu Rai Resident of village - Barajai Ram, P.S.
Chiraiya, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through Collector, East Champaran
2. The ADSO, East Champaran
3. The SDO, Sikrahna, Dhaka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

For the Respondent/s : Mr. Kumar Samarjeet Singh, AC to SC-21

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 28-07-2017

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

In this case, the petitioner is challenging the order dated
13.7.2015 passed by the Collector, East Champaran in Supply Appeal
No. 49 of 2014 affirming the order of the S.D.O., Sikrahna, Dhaka
dated 20.12.2014 cancelling the P.D.S. licence of the petitioner.

In the appellate order dated 13.07.2015, no reason has
been assigned rather it is a cryptic order, he has only affirmed the
order of the S.D.O., Sikrahna, Dhaka without discussing a single word
as also without applying his own judicious mind.

A proceeding was initiated against the petitioner for
cancellation of the P.D.S. licence, the S.D.O., Sikrahna issued the



show-cause to the petitioner making an allegation of irregularity being committed by the petitioner in running the P.D.S. shop, whereafter, the final order of cancellation of the P.D.S. licence was passed, the same was challenged before the Collector, East Champaran, Motihari who was required to go into the merit of the case but, without applying his judicious mind, has passed the order affirming the order of the S.D.O.

Thus, the order dated 13.07.2015 passed by the Collector, East Champaran suffers from illegality, the same is set aside and the matter is remanded back to the Collector, East Champaran to consider the case of the petitioner afresh and pass a reasoned order in accordance with law.

In the result, this application stands allowed to the extent indicated above.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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