

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15181 of 2018

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M/s Mithileshwar Singh Through Its Proprietor Vijay Kumar Singh, S/o Late Mithileshwar Singh, Resident of Ward No. 25, Sameer Nagar, P.S.-Khagaria, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Old Secretariate, Patna,.
2. The Collector, Khagaria.
3. The Supply Officer Khagaria.

.... 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. AAG 5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-09-2018

The petitioner has challenged the order passed by the District Magistrate, Khagaria dated 09.07.2018 on the ground that only three days' notice was granted to the petitioner to file reply to the show cause.

The learned Senior counsel appearing for the petitioner submits that the present case is squarely covered by a judgment reported in *2013(1) PLJR 718* [**Smt. Fulpati Devi vs. The State of Bihar & Ors.**]

In view of the aforesaid, the order passed by the District Magistrate, Khagaria is quashed and the District Magistrate, Khagaria is directed to issue a fresh show cause notice giving sufficient time to the petitioner to file reply to the



show cause and after seeking reply from the petitioner, the District Magistrate, Khagaria shall pass a reasoned and speaking order in accordance with law within a period of four weeks from the date of receiving of the reply to the show cause.

With the aforesaid direction, the writ petition is disposed of.

(Mohit Kumar Shah, J)

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