

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13435 of 2018

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Ram Swarup Prasad @ Ram Swarup Paswan son of Late Mahavir Paswan,
resident of Village- Patwa Sarai, P.S.- Kadirganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food & Consumer Protection Department, Old Secretariate, Patna.
2. The SDO, Sadar Nawada.
3. The Block Supply Officer, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand
For the Respondent/s : AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 10-09-2018

The present writ petition has been filed for quashing the order dated 18.05.2018 passed by the District Magistrate, Nawada in Supply Case No. 75(M) of 2014 whereby and whereunder the appeal preferred by the petitioner against the order dated 28.05.2013 passed by the learned S.D.O, Nawada has been dismissed.

2. The short points raised by the petitioner is that the S.D.O. as well as the District Magistrate, Nawada have passed the impugned order without supplying the inquiry report to the petitioner herein.

3. The learned counsel for the petitioner has relied upon the judgments of this Court passed by the co-ordinate Bench, dated 10.05.2013 passed in C.W.J.C. No. 6388 of 2013 and the one



dated 01.03.2013 passed in C.W.J.C. No. 17552 of 2011 whereby and whereunder the case of the said writ petitioners have been allowed solely on the ground that a copy of the inquiry report was not supplied.

4. The learned counsel for the Respondents has not been able to controvert the said position in law.

5. Having regard to the facts and circumstances of the case as also considering the submission of the learned counsel for the petitioner to the effect that the petitioner was not supplied the inquiry report, the order dated 28.05.2013 passed by the S.D.O, Nawada and the order dated 18.05.2018 passed by the District Magistrate, Nawada are hereby quashed and the matter is remanded to the S.D.O, Nawada for reconsidering the present case after giving a show cause, annexing the inquiry report, to the petitioner herein.

6. The writ petition is allowed.

(Mohit Kumar Shah, J)

ajay gupta/-

AFR/NAFR	NAFR
CAV DATE	NA
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