

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13430 of 2018

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Sri Chand Mehta, S/o Randev Prasad Choudhary, resident of Village-
Naudihakhurd, P.S. Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food & Civil Supply
Department, Patna.
2. The SDO, Sadar Gaya.
3. The BSO, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Respondent/s : Mr. S. Raza Ahmad- Aag5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2018

The present writ petition has been filed for quashing the order dated 27.03.2018 passed by the S.D.O. Sadar, Gaya, whereby and whereunder the P.D.S. licence granted to the petitioner has been cancelled.

The short point raised by the petitioner is that the notice dated 28.01.2018 itself would bear it out that only three days' time was granted for filing reply to the show cause notice which is grossly inadequate. Reference in this regard be had to a judgment of a co-ordinate Bench of this Court reported in **(2013) 1 PLJR 718**.

I have heard the learned counsel for the parties and gone through the materials on record and I find that grant of



three days time for filing show case reply is highly insufficient as has been held by a co-ordinate Bench of this Court. Moreover, the impugned order dated 27.03.2018 also smacks of non-consideration and non-application of mind.

For the reasons mentioned herein, the present writ petition is allowed and the order dated 27.03.2018 passed by the S.D.O. Sadar, Gaya is quashed, however with liberty to S.D.O. Sadar, Gaya to proceed further in accordance with law.

(Mohit Kumar Shah, J)

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