

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15626 of 2018

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Mohan Tiwari, son of Mathur Tiwari, Resident of Purshottampur Ward No. 14, P.S. Majhulia, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar at Patna.
2. The District Magistrate-cum- Collector, West Champaran at Bettiah.
3. The Sub Divisional Magistrate, Bettiah Sadar, District- West Champaran.
4. That Block Supply Officer, Majhulia, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary
For the Respondent/s : Mr. Arvind Ujjwal - Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 04-12-2018

The present writ petition has been filed for quashing the order dated 10.09.2016 passed by the Sub Divisional Officer, Bettiah whereby and whereunder the licence of the P.D.S. Shop of the petitioner has been cancelled.

The short point raised by the learned counsel for the petitioner is that the Sub Divisional Officer, Bettiah i.e. Respondent No.3 has proceeded to cancel the licence of the petitioner without supplying a copy of the inquiry report, hence, the petitioner has been precluded from submitting his defence in an appropriate manner resulting in violation of the principles of natural justice. Reference in this regard has been made to a judgment of a co-ordinate bench of this Court, reported in 2013(2) PLJR 706 [Brahmdeo Rai vs. The State of Bihar & Ors.].



Having regard to the facts and circumstances of the case, the order dated 10.09.2016 passed by the Sub Divisional Officer, Bettiah is quashed and the Sub Divisional Officer, Bettiah is granted liberty to proceed in the matter after supplying a copy of the inquiry report to the petitioner herein.

The writ petition is allowed.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.12.2018
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