

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11390 of 2016

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Surendra Prasad S/o late Dipan Prasad Resident of Mohalla- Imamganj, P.O. Chapra, P.S. Chapra town, District Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Saran Division, at Chapra.
2. The Commissioner, Saran at Chapra.
3. The District Magistrate-cum-Collector, Saran at Chapra.
4. The Sub Divisional officer, Sadar, Saran at Chapra.;

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
For the Respondent/s : Mr. Rajesh Singh- Gp16

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2018 The present case has been filed for quashing the order dated 18.06.2008 passed by the Sub Divisional Officer, Sadar Chapra whereby and whereunder the P.D.S. licence of the petitioner has been cancelled as well as for quashing the appellate order dated 27.09.2008 passed by the Collector, Saran at Chapra and the order dated 06.02.2016 passed in Supply Revision No. 290 of 2008.

The short points raised for consideration by the learned counsel appearing for the petitioner is that firstly, three days' notice was given for the purposes of filing show cause reply, which is inadequate. Secondly, it is submitted that though, the proposed punishment mentioned in the show cause notice was suspension of licence, however, the authorities have



cancelled the licence.

The learned counsel for the petitioner relies upon a judgment reported in **2013(1) PLJR 718** as also the one reported in **2015(3) PLJR 189**.

The aforesaid position in law is not disputed by the learned counsel for the respondents.

Having considered the facts and circumstances of the case, the present writ petition is allowed and the orders dated 18.06.2008, 27.09.2008 and 06.02.2016 are quashed.

(Mohit Kumar Shah, J)

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