

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16681 of 2016

=====

Manoj Kumar Srivastava Son of Vayas Prakash Srivastava resident of Village-Indarwa, P.S.- Thawe, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food & Civil Supply Department, Old Secretariat, Patna, Bihar
2. The Collector, Gopalganj
3. The Sub- Divisional Officer, Gopalganj

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand
For the Respondent/s : Smt. Namrata Mishra, GA-6

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-12-2018 The present writ petition has been filed for quashing the order dated 11.02.2013 passed by the Sub-Divisional Officer, Gopalganj, whereby and where under the P.D.S. license of the shop of the petitioner has been cancelled.

The short point raised by the learned counsel for the petitioner is that no show cause was ever served to the petitioner and without seeking show cause reply from the petitioner as also without hearing the petitioner, the impugned order of cancellation of the P.D.S. license has been passed which amounts to violation of the principles of natural justice.

Having regard to the facts and circumstances of the case, this Court finds that in absence of a show cause notice being served upon the petitioner as stated in paragraph no. 14



of the writ petition, the petitioner has been denied a fair opportunity of hearing as also putting forth his case before the licensing authority, hence the same has resulted in violation of the principles of natural justice.

For the reasons mentioned herein above, the writ petition is allowed and the order dated 11.02.2013 passed by the Sub-Divisional Officer, Gopalganj is quashed, however, with liberty to the Sub-Divisional Officer, Gopalganj to proceed afresh in the matter after serving a show cause notice to the petitioner herein.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

