

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21891 of 2018

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Shankar Kumar Son of Sohan Yadav Resident of Village- Harli Khurd,
Village- Panchayat- Kanhaul, Police Station- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub- Divisional Officer, Sadar Gaya.
4. The Block Supply Officer, Bodh Gaya, Distt.- Gaya.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-12-2018 The present writ petition has been filed for quashing the order dated 29.08.2018 passed by the Sub-Divisional Officer, Sadar, Gaya whereby and whereunder the P.D.S. licence of the shop of the petitioner has been cancelled.

The learned counsel for the petitioner has raised a short issue while assailing the impugned order to the effect that the authorities have, in a single line without assigning any reason, rejected the show cause of the petitioner herein and in similar manner, the appeal has also been rejected. Reference in this connection has been made to a judgment dated 04.01.2013 passed in CWJC No. 105 of 2013.

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



impugned order dated 29.8.2018 is not only cryptic but also totally unreasoned and non-speaking order as well as suffers from the vice of total non-application of the mind, hence it is fit to be quashed.

Having regard to the facts and circumstances of the case, the writ petition is allowed and the impugned order dated 29.8.2018 passed by the Sub-Divisional Officer, Sadar, Gaya is quashed, however, with liberty to the S.D.O., Sadar, Gaya to proceed afresh in the matter, in accordance with law, if so advised.

The writ petition is allowed.

(Mohit Kumar Shah, J)

Tiwary/-

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