

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22594 of 2018

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Chandra Bhushan Tara S/o Bhujali Paswan Resident of Village- Kasiyadih,
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.Arvind Ujjwal, SC-4

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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 28.04.2018 passed by the Sub-Divisional Officer, Sadar Gaya, whereby and where under the P.D.S. license of the shop of the petitioner has been cancelled.

The learned counsel for the petitioner has argued that the impugned order dated 28.04.2018 has been passed without any application of mind inasmuch as in one line the said authority has rejected the case of the petitioner and has simply stated that the show cause filed by the petitioner is not satisfactory, hence it is submitted that the impugned order dated 28.04.2018 suffers from the vice of non-application of mind, thus the entire order dated 28.04.2018 stands vitiated.

Having regard to the facts and circumstances of the



case, this Court finds that the order dated 28.04.2018 is cryptic and does not show any application of mind inasmuch as in one line the show cause reply of the petitioner has been rejected without assigning any reasons thereof.

For the reasons mentioned herein above, the writ petition is allowed and the order dated 28.04.2018 passed by the Sub-Divisional Officer, Sadar Gaya is quashed, however, with liberty to the Sub-Divisional Officer, Sadar Gaya to proceed afresh in accordance with law, if so required.

(Mohit Kumar Shah, J)

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