

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24006 of 2018

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Raj Kumar Das @ Rajkumar Ravidas, s/o Sri Ramhani Ravidas, r/o vill-
Shrirampur, Village Panchayat-Jagarnathpur, PS-Fatehpur, Dist-Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Department of food & Consumer Protection, Govt. of Bihar, Patna
2. The District Magistrate, Gaya
3. The Sub Divisional Officer, Sadar Gaya, Dist-Gaya
4. The Executive Magistrate, Sadar Gaya
5. The Block Supply Officer, Fatehpur, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Respondent/s : Mr. Arvind Ujjwal -Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 19-12-2018

1. The present writ petition has been filed for quashing of the order dated 19.03.2008 passed by the S.D.O. Sadar, Gaya, whereby and whereunder the P.D.S. licence of the shop of the petitioner has been cancelled. The petitioner has further prayed for setting aside the appellate order dated 21.10.2014.

2. The short point raised by the petitioner is that the notice dated 07.02.2008 would itself bear it out that only three days' time was granted for filing reply to the show cause notice which is grossly inadequate. Reference in this regard has been made to a judgment of a co-ordinate Bench of this Court reported in *(2013) 1 PLJR 718*.



3. I have heard the learned counsel for the parties and gone through the materials on record and I find that grant of three days' time for filing show case reply is highly insufficient as has been held by a co-ordinate Bench of this Court. Moreover, the impugned order dated 19.03.2008 also smacks of non-consideration and non-application of mind.

4. For the reasons mentioned herein, the present writ petition is allowed and the order dated 19.03.2008 passed by the S.D.O. Sadar, Gaya as well as the appellate order dated 21.10.2014 are quashed, however with liberty to S.D.O. Sadar, Gaya to proceed further in accordance with law.

5. The writ petition is allowed.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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