

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23717 of 2018

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Vijay Kumar, son of Ram Sagar Prasad, resident of village-Rada @ Chak
Rada, P.s. Dhanarua, District-Patna

... .. Petitioner/s

Versus

The State of Bihar & Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Narayan Singh
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-12-2018 The present writ petition has been filed for quashing

the order dated 28.08.2018 passed by the Sub-Divisional

Officer, Masaurhi, Patna, 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 the Sub-Divisional Officer, Masaurhi, Patna i.e.
the respondent no. 4 has proceeded to cancel the license of the
petitioner without supplying a copy of the enquiry report, hence,
the petitioner has been precluded from submitting his defence in
an appropriate manner resulting in violation of the principles of
natural justice. Reference in this regard has been made to a
judgment of a co-ordinate Bench of this Court, reported in
**2013(2) PLJR 706 (Brahmdeo Rai vs. The State of Bihar &
Ors.)**.



Having regard to the facts and circumstances of the case, the order dated 28.08.2018 passed by the Sub-Divisional Officer, Masaurhi, Patna is quashed and the Sub-Divisional Officer, Masaurhi, Patna is granted liberty to proceed in the matter afresh after supplying a copy of the enquiry report to the petitioner herein.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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