

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19138 of 2018

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Arjun Prasad Gupta, S/o Late Kali Prasad Gupta, Resident of Village-
Fatehpur, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food
& Consumer Protection, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Gaya.
3. The Sub Divisional Officer, Sadar Gaya, District- Gaya.
4. The Block Supply Officer, Fatehpur, District- Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2018 The present writ petition has been filed for quashing the

order dated 07.05.2014 passed by the Sub Divisional Officer,

Sadar Gaya as also the appellate order dated 12.07.2018 passed in

Supply Case No. 02 of 2017 by the District Magistrate, Gaya.

The short issue raised by the learned counsel for the
petitioner is that the petitioner was granted only three days' time
for filing show cause reply which is by any stretch of imagination
insufficient.

The learned counsel for the petitioner relies on a
judgment reported in 2013(1) PLJR 718 wherein this Court has
held that three days' time to reply to the show cause was clearly
insufficient.



In view of the aforesaid, the impugned orders dated 07.05.2014 and 12.07.2018 are quashed and the matter is remanded to the Sub-Divisional Officer, Sadar Gaya for fresh determination in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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