

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18899 of 2018

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Ashok Paswan Son of late Ratna Paswan Resident of Ward No. 02 Barwa,
Siswa Basantpur, P.S. Chautarwa District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Food and Civil Supply,
Government of Bihar New Secretariat, Patna.
2. The District Magistrate West Champaran, Bettiah.
3. The Sub Divisional Officer, Bagha West Champaran Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra

For the Respondent/s : Mr. S. Raza Ahmad- AAG5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2018

The present writ petition has been filed for quashing the order dated 19.04.2017 passed by respondent no. 3 by which the licence of the petitioner has been cancelled.

The short point raised by the learned counsel for the petitioner for assailing the order dated 19.04.2017 is that the petitioner has been granted only three days' time to respond to the notice, which is grossly insufficient. The learned counsel for the petitioner has relied upon a judgment reported in *2013(1) PLJR 718 [Smt. Fulpati Devi vs. The State of Bihar & Ors.]*

Having regard to the facts and circumstances of the case, this Court finds that three days' time granted to the petitioner is insufficient and has precluded the petitioner from filing his defence resulting in breach of the principles of natural justice.

In such view of the matter, this Court has no option but to quash the order dated 19.04.2017 passed by respondent no. 3 with liberty to the respondent no. 3 to proceed in the matter afresh in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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