

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19201 of 2018

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Laxman Sah S/o Sri Sahdeo Sah Resident of Village - Dumra, Ward No. -
6, P.S. - Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food & Consumer Protection, Government of Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Sub Divisional Officer, Sadar, Sitamarhi.
4. The Block Supply Officer, Dumra, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Respondent/s : Mr. Arvind Ujjwal- SC4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2018

The present writ petition is filed for setting aside the order dated 07.09.2018 passed by the S.D.O., Sadar Sitamarhi by which the petitioner's P.D.S. shop licence has been cancelled.

The short submission made by the learned counsel for the petitioner is that only three days' time has been granted to the petitioner for filing reply to the show-cause notice, which is grossly insufficient. Reference in this regard has been made to a judgment reported in 2013(1)PLJR 708 [**Smt. Fulpati Devi vs. The State of Bihar & Ors.**].

Having regard to the facts and circumstances of the case, this Court finds that the three days' time granted to the petitioner to file reply is highly insufficient and amounts to breach of the principles of natural justice, hence, the order dated 07.09.2018 passed by respondent no. 3 is quashed, however, with liberty to the respondent no. 3 to proceed afresh in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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