

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19267 of 2018

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Mahendra Prasad Mahto, Son of Late Gauri Shankar Mahto, Resident of Village Harbhanga, P.S. Lakhsaur, District- Madhubani, the president Primary Agricultural Credit Society (PACS), Deep East, Block Lakhsaur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Madhubani.
3. The Sub-Divisional Officer-cum-Licensing Authority, Jhanjharpur, District- Madhubani.
4. The Block Supply Officer, Lakhsaur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Arjun Kumar

For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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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 27.08.2018 passed by the Sub-Divisional Officer, Jhanjharpur, District-Madhubani whereby and where under the P.D.S. license of the shop of the petitioner has been cancelled.

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 order dated 27.08.2018 is quashed and the matter is remanded to the Sub-Divisional Officer, Jhanjharpur, District-Madhubani for fresh determination in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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