

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19303 of 2018

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Ramchandra Jha son of Jageshwar Jha Resident of village - Khajura,
Panchayat Prasad, Block Madhepur, P.S. Bhejha, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Madhubani.
3. The Sub-Divisional Officer, Jhanjharpur.
4. The Block Supply Officer, Madhepur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Chaturvedi

For the Respondent/s : Mr. Arvind Ujjwal-Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2018

The present writ petition has been filed for quashing of the order dated 27.08.2018 passed by the Sub-Divisional Officer, Jhanjharpur, whereby and whereunder the P.D.S. licence issued to the petitioner has been cancelled.

The short point raised by the petitioner is that the notice dated 11.08.2018 would itself bear it out that only three days' time was granted for filing reply to the show cause notice which is grossly inadequate. Reference in this regard has been made to a judgment of a co-ordinate Bench of this Court reported in *(2013) 1 PLJR 718*.

I have heard the learned counsel for the parties and gone through the materials on record and I find that grant of



three days time for filing show case reply is highly insufficient as has been held by a co-ordinate Bench of this Court. Moreover, the impugned order dated 27.08.2018 also smacks-of non-consideration and non-application of mind.

For the reasons mentioned herein, the present writ petition is allowed and the order dated 27.08.2018 passed by the S.D.O. Jhanjharpur is quashed, however with liberty to the said S.D.O. to proceed further in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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