

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20634 of 2018

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Deo Nandan Prasad son of Late Ganauri Mahto, resident of Village
Belharia, Panchayat- Sharwan, P.S. Barachatti, District Gaya.

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2018 The present writ petition has been filed for quashing the order dated 30.06.2018 contained in Memo No. 232, passed by the Sub-Divisional Officer, Sherghati, Gaya, whereby and where under the licence of the P.D.S. shop of the petitioner has been cancelled.

The short point raised by the learned counsel for the petitioner is that the Sub-Divisional Officer, Sherghati, Gaya i.e. the respondent no. 3 has proceeded to cancel the licence of the petitioner without supplying a copy of the enquiry report, hence the petitioner has been precluded from submitting her defence in an appropriate manner resulting in violation of principles of natural justice. Reference in this regard has been made to a judgment of the Division Bench reported in *2013(3) PLJR 706*.

Having regard to the facts and circumstances of the case as also considering the submission of the learned counsel for the



petitioner to the effect that the petitioner was not supplied the enquiry report, the order dated 30.06.2018 contained in Memo No. 232, passed by the Sub-Divisional Officer, Sherghati, Gaya is quashed and the matter is remanded to the Sub-Divisional Officer, Sherghat, Gaya for reconsidering the matter after supplying a copy of the enquiry report to the petitioner herein.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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