

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21663 of 2018

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Umesh Prasad @ Umesh Yadav son of Late Byadhar Yadav Yadav, Resident of village Chitaukhar, Village Panchayat- Jalalpur, P.S. Tikari, District Gay.

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-11-2018 The petitioner has challenged the order passed by the Sub-Divisional Officer, Tekari, dated 26.08.2017 on the ground that three days' notice was granted to the petitioner to file reply to the show cause.

The learned counsel for the petitioner submits that the present case is squarely covered by a judgment reported in *2013(1) PLJR 718 [Smt. Fulpati Devi vs. The State of Bihar & Ors.]*.

In view of the aforesaid, the order passed by the Sub-Divisional Officer, Tekari is quashed and the Sub-Divisional Officer, Tekari is directed to issue a fresh show cause notice giving sufficient time to the petitioner to file reply to the show cause and after seeking reply from the petitioner, the Sub-Divisional Officer, Tekari shall pass a reasoned and speaking



order in accordance with law within a period of four weeks from the date of receiving of the reply to the show cause.

With the aforesaid direction, the writ petition is disposed of.

(Mohit Kumar Shah, J)

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