

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13638 of 2018

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Ravindra Ram, Son of Ram Sagar Ram, Resident of Village and P.O.-
Parsa, P.S. Majhauriya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The Sub Divisional Officer, Bettiah, West Champaran.
4. The Block Supply Officer, Majhauria, West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr. Adv.
Mr. Ramendra Kumar Bharti, Adv.

For the Respondent/s : Mr. Arvind Ujjwal- SC-4
Mr. U.P.Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-10-2018 The present writ petition has been filed for quashing the order dated 02.12.2016 passed by the Sub-Divisional Officer, Bettiah, West Champaran whereby and whereunder the P.D.S. license of the shop of the petitioner has been cancelled.

The short issue raised by the petitioner herein is regarding non supply of the inquiry report along with show cause notice resulting in the petitioner being precluded from submitting a wholesome reply as also putting forth his defence in a proper manner. Reference in this regard has been made to a judgment reported in 2013(2) PLJR 706.

Having regard to the facts and circumstances of the case as also after having heard the learned counsel for the parties, I am of the view that since the inquiry report has not been served to the petitioner, the petitioner has been precluded from submitting his wholesome defence resulting in violation of the principles of



natural justice, which has vitiated the impugned order dated 02.12.2016 passed by the Sub Divisional Officer, Bettiah, hence the same is quashed, however, with liberty to the Sub Divisional Officer, Bettiah, West Champaran to proceed afresh in accordance with law, if so advised.

The present writ petition is allowed.

(Mohit Kumar Shah, J)

BTiwary/Md. Rashid

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