

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16781 of 2016

=====

Jahan Ara Khatoon W/o Mansoor Mian Resident of Village-Hirapakar, P.S.-
Manuapool, District-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, West Champaran at Bettiah
2. The Collector-Cum-District Magistrate, West Champaran at Bettiah
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur
4. The Sub Divisional Officer, Bettiah Sadar, Bettiah, District-West Champaran
5. The Block Supply Officer, Chanpatia Block, Chanpatia, District-West Champaran
6. The Senior Deputy Collector, Bettiah Sub-division, Bettiah, Dist.-West Champaran

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Arvind Ujjwal, SC-4

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-12-2018 The present writ petition has been filed for quashing the order dated 08.12.2012 passed by the Sub-Divisional Officer, Bettiah Sadar, West Champaran, whereby and where under the P.D.S. license of the shop of the petitioner has been cancelled. The petitioner has further prayed for quashing of the appellate order dated 13.06.2016 passed by the Collector-cum-District Magistrate, West Champaran at Bettiah.

The short point raised by the learned counsel for the petitioner is that the Sub-Divisional Officer, Bettiah Sadar, West Champaran i.e. the respondent no. 4 has proceeded to cancel the license of the petitioner without supplying a copy of the enquiry



report, hence, the petitioner has been precluded from submitting his defence in an appropriate manner resulting in violation of the principles of natural justice. Reference in this regard has been made to a judgment of a co-ordinate Bench of this Court reported in **2013(2) PLJR 706 (Brahmdeo Rai vs. The State of Bihar & Ors.)**.

Having regard to the facts and circumstances of the case, the order dated 08.12.2012 passed by the Sub-Divisional Officer, Bettiah Sadar, West Champaran as also the appellate order dated 13.06.2016 passed by the Collector-cum-District Magistrate, West Champaran at Bettiah are quashed and the Sub-Divisional Officer, Bettiah Sadar, West Champaran is granted liberty to proceed in the matter afresh after supplying a copy of the enquiry report to the petitioner herein.

The writ petition is allowed.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

