

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17513 of 2018

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Ravi Kumar son of Prithwi Chand Prasad resident of Dhobha, P.O. Rakhahi,
P.S. Shikarpur Narkatiyaganj, West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, West Champaran, Bettiah.
3. The Sub Divisional Officer, Narkatiyaganj West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra
For the Respondent/s : Mr. Arvind Ujjwal- Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 14-12-2018

The present writ petition has been filed for quashing the order dated 18.08.2018 passed by the Sub Divisional Officer, Narkityaganj, West Champaran, Bettiah whereby and whereunder the P.D.S licence shop of the petitioner has been cancelled.

The short issue raised by the petitioner is that merely, Three days' notice dated 01.08.2018 has been issued to the petitioner, hence, the time granted to the petitioner for replying to the show cause notice is grossly insufficient, which amounts to violation of the principles of natural justice, thus, the order of cancellation is bad.

I have heard the learned counsel for the parties and I find that admittedly, only three days' time was granted to the petitioner to file his reply to the show cause notice which, in the



opinion of this Court, is absolutely insufficient. This aspect of the matter has already been decided in a catena of decisions by the coordinate Benches of this Court, one of such order being the one reported in 2013 (1) PLJR 718 [**Smt. Fulpati Devi vs. The State of Bihar & Ors.**]

For the reasons mentioned hereinabove, the writ petition is allowed and the order of the Sub-Divisional Officer, Sitamarhi dated 18.08.2018 is quashed, however, with liberty to the Sub-Divisional Officer, Narkatiyaganj, West Champaran, Bettiah to proceed afresh in accordance with law, after granting ample opportunity to the petitioner herein.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

