

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19227 of 2017

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Indrajeet Pd. Chaurasiya, son of Late Budhan Prasad, Resident of Village-
Kartahi, P.S.- Gurua, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary Food and Civil Supply
Department, Govt. of Bihar, Patna.
2. District Magistrate, Gaya.
3. Sub- Divisional Officer, Sherghati, Gaya.
4. Assistant District Supply Officer, Sherghati, District- Gaya.
5. Block Supply Officer, Gurua, Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bibhuti Narayan, Advocate.

For the Respondents : Mr. S.Raza Ahmad, AAG-5

Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-01-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for the following
reliefs:

“(i) For quashing the order contained in Memo No. 469 dated
09.11.2017 issued by the respondent no. 3 whereby and
whereunder license of the petitioner’s P.D.S. Shop No.
33/2016/249/2007 has been cancelled and further direction
has been issued to respondent no. 5 to make arrangement of
uplifting and distribution of food and K. Oil.

(ii) For giving a direction to restore the license of the
petitioner with immediate effect.

(iii) Any other relief/reliefs which this Hon’ble Court may
deem fit and proper.”



3. Learned counsel for the petitioner makes a short submission to assail the impugned order of cancellation, on the ground that a copy of the enquiry report which has been relied upon in the impugned order was not made available to the petitioner and hence he was unable to file a meaningful reply to the show cause notice.

4. A perusal of the show cause notice dated 23.10.2017 (Annexure-1) itself however shows that the enquiry report was duly enclosed therewith though a contrary stand is being taken in the writ petition. If the enquiry report had not been enclosed with the show cause notice, it was for the petitioner to request for a copy of the same but instead of doing so, the petitioner furnished his reply to the show cause notice dated 31.10.2017 (Annexure-2) but no such objection was raised by him.

5. In the above view of the matter, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

6. Needless to say, the petitioner shall be at liberty to avail any statutory remedy as may be available to him in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/-

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

