

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18196 of 2017

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Md. Sultan Ahmad S/o Md. Allauddin R/o Mohalla- Mogalpur, Dorokhi, P.S.
Khajekalan at Patna City, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Patna Division , Patna.
3. The District Magistrate, Patna.
4. The Special Rationing Officer, Patna Collectariat, Patna.
5. The Marketing Officer, Ward No. 60, Patna City.
6. District Rationing Officer, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal
	:	Md. Mistaque Alam
	:	Mr. Humayun Ahmad Khan
	:	Miss Preety Kunwar
For the Respondent/s	:	Mr. Sanjay Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 10-09-2018

1. The present writ petition has been filed for quashing of the order dated 01.08.2017 passed by the Divisional Commissioner, Patna in Revision case no. 54 of 2016, order dated 23.05.2015 passed by the learned District Magistrate, Patna in Appeal no. 37 of 2014-15 and the order dated 24.09.2013 passed by the learned Special Rationing Officer, Patna.

2. The learned Senior counsel for the petitioner has raised a short point for consideration to the effect that the petitioner was granted merely two days and three days' time by two notices which is



illegal and in similar circumstances, this Court has quashed the impugned orders passed by the Licensing Authority on the ground that such short time granted for filing reply to the show cause is insufficient. Reference in this connection be had to a judgment reported in *(2013) 1 PLJR 718* .

3. In view of the aforesaid, the impugned orders dated 01.08.2017, 23.05.2015 and 24.09.2013 are quashed and the matter is remitted back to the learned Special Officer (Rationing) Patna to consider the show cause reply of the petitioner which may be filed by the petitioner within a period of four weeks from today and pass a reasoned and speaking order in accordance with law within 08 weeks thereafter without being prejudiced by the earlier orders.

4. The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.09.2018
Transmission Date	NA

