

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1339 of 2018

=====

Brahmanand Paswan, Son of Late Haro Paswan, Resident of Village-
Bahrawan, Police Station- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Sub Divisional Officer (Supply Branch), Barh.
5. The Additional District Supply Officer, Patna City, Patna.
6. The Block Supply Officer, Barh, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Karna

For the Respondent/s : Mr. S.Raza Ahmad -Aag5

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-09-2018 The short point raised by the petitioner, in the present writ petition filed for quashing the order dated 07.10.2017 passed by Sub-Divisional Officer (Supply Branch), Barh, cancelling the licence of the petitioner, is that no enquiry report was supplied along with the show cause notice so as to enable the petitioner to properly submit his defence.

The learned counsel for the petitioner relies upon a judgment reported in **2013(2) PLJR 637 (Md. Najibul Haque Ansari Vs. State of Bihar and Anr.)**.

Having regard to the facts and circumstances of the case, since the respondent no.4 has not supplied any enquiry



report along with the show cause notice, the entire proceeding is perverse, hence the order passed by the respondent no.4 dated 07.10.2017, is quashed and the respondent S.D.O., Barh is granted liberty to proceed afresh in the matter.

The writ petition is allowed.

It is needless to state that in case the Respondent No.4 finds that the enquiry report has already been supplied and he is having proof thereof, it will be open for the Respondent No.4 to approach this Court for recall of the present order.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

