

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14450 of 2018

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Dinesh Ram, Son of Sri Ram Prasad, Resident of Ward No.10 Maldahiya, P.O.-
Narkatiyaganj, Pokharia, 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 JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 23-08-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner challenges the cancellation of his PDS licence
being Licence No. 53 of 2007 dated 24.11.2017 passed by the
Licensing Authority as contained in Annexure-3 on the ground that
only three days time was given in the show cause dated 31.07.2017 to
reply with regard to certain irregularities in functioning of his PDS
shop.

Learned counsel for the petitioner submits that three days
time was highly insufficient and inadequate as held in the case of
Smt. Fulpati Devi Vs. The State of Bihar since reported in 2013



(1) PLJR 718.

Learned counsel for the State appears and is heard.

Considering the facts and in view of the decision passed in the case of **Smt. Fulpati Devi** (supra), the order of notice issuing show cause dated 31.07.2017 and order dated 24.11.2017 as contained in Annexures-1 and 3 respectively are quashed. Supplies to the petitioner be restored forthwith. However, the Licensing Authority, the respondent no. 3 is at liberty to take steps against the petitioner by issuing show cause and affording an opportunity to the petitioner in accordance with law.

Writ application is allowed as above.

(Nilu Agrawal, J)

Devendra/Priyanka

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.08.2018
Transmission Date	NA

