

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20577 of 2018

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Deo Chandra Roy son of Jaynandan Roy, resident of Village Bishaul, P.O. Sukhet, P.S. Jhanjharpur, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Madhubani.
3. The Sub-Divisional Officer cum Licensing Authority, Jhanjharpur, District Madhubani.
4. The Block Supply Officer, Jhanjharpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arjun Kumar

For the Respondent/s : Mr. Arvind Ujjwal -Sc4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-11-2018

The present writ petition is filed for setting aside the order dated 01.10.2018 passed by the S.D.O., Jhanjharpur by which the petitioner's P.D.S. shop licence has been cancelled.

The short submission made by the learned counsel for the petitioner is that only three days' time has been granted to the petitioner for filing reply to the show-cause notice, which is grossly insufficient. Reference in this regard has been made to a judgment reported in 2013(1)PLJR 708 [**Smt. Fulpati Devi vs. The State of Bihar & Ors.**].

Having regard to the facts and circumstances of the case, this Court finds that the three days' time granted to the petitioner to file reply is highly insufficient and amounts to breach



of the principles of natural justice, hence, the order dated 01.10.2018 passed by respondent no. 3 is quashed, however, with liberty to the respondent no. 3 to proceed afresh in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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