

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21010 of 2018

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Mahraj Jha, son of Late Kokil Jha, resident of village-Umri, Gram
Panchayat Laufa, P.S. Lakhnaur, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Arjun Kumar

For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-11-2018 The present writ petition has been filed for quashing the order dated 15.10.2018 passed by the Sub-Divisional Officer, Jhanjharpur, District-Madhubani, whereby and where under the licence of the petitioner for running P.D.S. shop, has been cancelled.

The short issue raised by the petitioner is that merely, three days' notice dated 29.09.2018, has been issued to the petitioner, hence the time granted to the petitioner for replying to the show cause notice is grossly insufficient, which amounts to violation of the principles of natural justice, thus, the order of cancellation is bad.

I have heard the learned counsel for the parties and I find that admittedly, only three days' time were granted to the petitioners to file his reply to the show cause notice which, in view of the opinion of this Court, is absolutely insufficient. This aspect



of the matter has already been decided in a catena of decisions by the co-ordinate Benches of this Court, on of such order being the one reported in **2013(1) PLJR 718 (Smt. Fulpati Devi vs. The State of Bihar & Ors.)**.

For the reasons mentioned hereinabove, the writ petition is allowed and the order of the Sub-Divisional Officer, Jhanjharpur, District-Madhubani dated 15.10.2018 is quashed, however with liberty to the Sub-Divisional Officer, Jhanjharpur, District-Madhubani to proceed further in accordance with law.

(Mohit Kumar Shah, J)

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