

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22147 of 2018

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Bhushan Kumar Bharti, Son of Late Vasudev Paswan, Resident of Village- Uprhuli, Village- Panchayat- Manjhiyawan, Police Station- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The Sub-Divisional Officer, Tikari, Dist- Gaya.
3. The Block Supply Officer, Paraiya, Dist- Gaya.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 20-12-2018

The present writ petition has been filed for quashing the order dated 03.10.2018 passed by the Sub Divisional Officer, Tikari whereby and whereunder the licence of the P.D.S. Shop of the petitioner has been cancelled.

The short point raised by the learned counsel for the petitioner is that the Sub Divisional Officer, Tikari i.e. Respondent No.2 has proceeded to cancel the licence of the petitioner without supplying a copy of the inquiry report, hence, the petitioner has been precluded from submitting his defence in an appropriate manner resulting in violation of the principles of natural justice. Reference in this regard has been made to a judgment of a co-ordinate of this Court, reported in 2013(2) PLJR 706 [**Brahmdeo Rai vs. The State of Bihar & Ors.**].



Having regard to the facts and circumstances of the case, the order dated 03.10.2018 passed by the Sub Divisional Officer, Tikari, District Gaya is quashed and the Sub Divisional Officer, Tikari is granted liberty to proceed in the matter after supplying a copy of the inquiry report to the petitioner herein.

The writ petition is allowed.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

