

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14548 of 2018

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Chote Lal Sah, Son of Late Saryug Sah, Resident of Village- Giddha, P.S.-
Chanpatiya, District- West Champaran, at present the Chairman of Giddha
PACS.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply
Department, Government of Bihar, P.S.-Sachiwalay, Patna.
2. The District Magistrate, P.S.-Kotawali, Bettiah West Champaran at Bettiah.
3. The Sub Divisional Officer, Bettiah Sadar, P.S.-Kotwali District- West
Champaran.
4. Block Development Officer, Chanpatiya, P.S.-Chanpatiya District- West
Champaran.
5. The Block Supply Officer, Chanpatiya, P.S.-Chanpatiya District- West
Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary
For the Respondent/s : Mr. S. Raza Ahmad- Aag5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2018 The present writ petition has been filed for quashing

the order dated 29.05.2017 passed by the Sub Divisional

Officer, Bettiah Sadar whereby and whereunder the P.D.S.

licence of the shop of the petitioner has been cancelled.

The short issue raised by the petitioner herein is
regarding non supply of the inquiry report along with show
cause notice resulting in the petitioner being precluded from
submitting a wholesome reply as also putting forth his defence
in a proper manner. Reference in this regard be had to a
judgment reported in 2013(2) PLJR 706.

Having regard to the facts and circumstances of the



case as also after having heard the learned counsel for the parties, I am of the view that since the inquiry report has not been served to the petitioner, the petitioner has been precluded from submitting his wholesome defence resulting in violation of the principles of natural justice, which has vitiated the impugned order dated 29.05.2017 passed by the Sub Divisional Officer, Bettiah Sadar, hence the same is quashed, however, with liberty to the Sub Divisional Officer, Bettiah Sadar to proceed afresh in accordance with law, if so advised.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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