

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17764 of 2018

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Vinod Manjhi, Son of Mohan Manjhi, Resident of Ward No. 4 Sigari Bigari, P.S. Ramnagar, Bagaha, West Champaran, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Civil Supply Government of Bihar New Secretariat, Patna.
2. The District Magistrate, West Champaran Bettiah.
3. The Sub Divisional Officer, Bagha, 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 MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 27-09-2018

1. The present writ petition has been filed for quashing the order dated 17.09.2016 passed by the Sub-Divisional Officer, Bagha, West Champaran, Bettiah, whereby and whereunder the P.D.S. licence of the petitioner has been cancelled as also the order dated 30.07.2018 passed by the respondent no. 2, whereby and whereunder the appeal of the petitioner has been rejected.

2. The short point raised by the learned counsel for the petitioner is that the Sub-Divisional Officer, Bagha, West Champaran, Bettiah i.e. the respondent no. 3 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 this Court, reported in **(2013) 2 PLJR pg 706** .

3. Having regard to the facts and circumstances of the case, the order dated 17.09.2016 passed by the respondent no. 3 as also the order dated 30.07.2018 passed by the respondent no. 2 are quashed and the respondent no. 3 is granted liberty to proceed in the matter after supplying a copy of the inquiry report to the petitioner herein and take a decision in accordance with law.

4. The writ petition is allowed.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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