

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19213 of 2018

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Krishnadev Prasad @ Krishnadev Rai, S/o Mathura Prasad, resident of
village-Mallickpur, Nemdarganj, P.S. Akbarpur, District-Nawada

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Food & Consumer Protection
Department, Old Secretariat, Patna
2. The District Magistrate, Nawada
3. The SDO, Rajouli, Nawada
4. The Block Supply Officer, Akbarpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Vijay Anand

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

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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 09.05.2017 passed by the Sub Divisional Officer, Rajouli, Nawada whereby and whereunder the P.D.S. license of the shop of the petitioner has been cancelled as also the appellate order dated 11.08.2018 passed in Case No. 435(M) of 2017 by the District Magistrate, Nawada whereby and whereunder the appeal of the petitioner has been rejected.

The short issue raised by the learned counsel for the petitioner is that the petitioner was granted only three days' time for filing show cause reply which is by any stretch of imagination insufficient.

The learned counsel for the petitioner relies on a



judgment reported in 2013(1) PLJR 718 wherein this Court has held that three days' time to reply to the show cause was clearly insufficient.

In view of the aforesaid, the impugned orders dated 09.05.2017 and 11.08.2018 are quashed and the matter is remanded to the Sub-Divisional Officer, Rajouli, Nawada for fresh determination in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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