

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20127 of 2018

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Anil Kumar Singh @ Anil Kumar son of Sri Jayram Singh, resident of
village-Dohari Mubarakchak, village-Panchayat-Sonaut, Police Station-
Buniyad Ganj, 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 District Magistrate, Gaya
3. The Sub-Divisional Officer, Sadar Gaya
4. The Block Supply Officer, Town Block, District-Gaya

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-11-2018 The present writ petition has been filed for setting
aside the order dated 28.09.2018, passed by the learned Sub-
Divisional Officer, Sadar Gaya, whereby and where under the
P.D.S. license of the shop of the petitioner has been cancelled.

The short submission made by the learned counsel for
the petitioner is that only three day's time has been granted to
the petitioner for filing reply to the show-cause notice, which is
grossly insufficient. Reference in this regard has been made to a
judgment reported in **2013(1) PLJR 708 (Smt. Fulpati Devi vs.
The State of Bihar & Ors.)**.

Having regard to the facts and circumstances of the
case, this Court finds that the three days' time granted to the



petitioner to file reply is highly insufficient and amounts to breach of the principles of nature justice. Hence, the order dated 28.09.2018 passed by the learned Sub-Divisional Officer, Sadar Gaya, is quashed, however, with liberty to the Sub-Divisional Officer, Sadar Gaya to proceed in the matter afresh in accordance with law.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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