

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1606 of 2019

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Shri Krishna @ Shri Kishun Sah Son of Dhar Bharanu Sah Resident of
Village- Majhawaliya, P.O. Matiyari, Gram Panchayat Raj- Majhwaliya,
Block- Vijaipur, P.S. Vijaipur, Distt. Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna
3. The Collector-Cum-District Magistrate, Gopalganj. Bihar
4. The Senior Deputy Collector, Gopalganj.
5. The District Supply Officer, Gopalganj.
6. The Sub-Divisional officer, Hathua, Distt. Gopalganj.
7. The Block Supply officer, Vijaipur, Distt. Gopalganj.

... .. Respondent/s

with

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Civil Writ Jurisdiction Case No. 1624 of 2019

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Durgawati Devi @ Durgavati Devi Wife of Paramhansh Yadav Resident of
Village- Bhawani Chhapar, P.O. Sahdigri, Gram Panchayat Raj- Jagdishpur,
Block- Vijaipur, P.S. Vijaipur, Distt. Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of food and Consumer Protection, Govt. of Bihar, Patna
2. The Principal Secretary, Department of food and Consumer Protection, Govt. of Bihar, Patna
3. The Collector-Cum-District- Magistrate, Gopalganj.
4. The Senior Deputy collector, Gopalganj.
5. The District Supply Officer Gopalganj
6. The Sub-Divisional Officer, Hathua, Distt. Gopalganj.
7. The Block Supply Officer, Vijaipur, District- Gopalganj.

... .. Respondent/s

with

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Civil Writ Jurisdiction Case No. 1626 of 2019

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Adalat Gond Son of late Kailash Gond Resident of Village- Nawaka tola,
Gram Panchayat Raj- Bharpurwa, Block- Vijaipur, Distt. Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna



2. The Principal Secretary, Department of Food and Consumer Protection Government of Bihar, Patna
3. The Collector-Cum-District Magistrate, Gopalganj.
4. The Senior Deputy Collector, Gopalganj.
5. The District Supply Officer, Gopalganj.
6. The Sub Divisional Officer, Hathua, Distt. Gopalganj.
7. The Block Supply Officer, Vijaipur, Distt. Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5
For the Respondent/s : Mr. Alok Ranjan, AAG5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-02-2019 All these three applications are being taken up together at the instance of learned counsel for the petitioners as well as the State.

There is a joint prayer that all these writ applications contain similar issues, facts and questions for consideration which have been discussed and adjudicated in CWJC No. 1394/2019 by this court. Learned counsel submits that the only difference in these three cases will be that of the memo number of the impugned order.

In the given facts and circumstances of the case, these three writ applications are being disposed of in terms of the order dated 25.01.2019 passed by this court in CWJC No. 1394/2019. The reasoning and rationale provided in the said order will apply in the present cases also.

As a result, the impugned order as contained in



Annexure-6 to the first two writ applications and Annexure-7 in the third writ application are quashed.

The matter is remitted to the Sub-Divisional Officer, Hathua, District – Gopalganj (respondent no. 6) for a fresh consideration and to pass a speaking order after giving opportunity of hearing to the petitioners.

Let the whole exercise be completed within a period of three months from the date of receipt/production of a copy of this order. In case, the Licensing Authority is satisfied with the reply of the petitioners, the consequential benefits be granted to the petitioners.

Accordingly, these three writ applications are disposed of.

(Rajeev Ranjan Prasad, J)

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