

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1456 of 2019

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Arvind Kumar, son of Late Ragho Prasad Singh, Resident of Village-Beani
Bigha, Chichourha P.S. Bikram Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary Food and Civil Supply Government of Bihar New Secretariat Patna
2. The District Magistrate Patna
3. The Sub Divisional Officer, Paliganj District Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Respondent/s : Mr. U.P. Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2 28-01-2019 This writ application has to be disposed off taking note of the admitted position appearing from the memo no.365 dated 24.08.2018 issued by the Sub-Divisional Officer, Paliganj, as contained in Annexure-4 to the writ application. It is apparent that no show cause proposing cancellation of the Public Distribution Shop licence was served upon the petitioner, but, by the impugned order (Annexure-5), the Sub-Divisional Officer, Paliganj has cancelled the licence of the Public Distribution Shop. Learned counsel for the petitioner has relied upon a judgment of the Hon'ble Division Bench of this Court in the case of Bhola Prasad Yadav Vs. The State of Bihar & Ors. reported in 2015(3) PLJR 189 to contend that in absence of a show cause proposing cancellation of the licence, the impugned



order is liable to be declared bad and is set aside.

Learned counsel for the State admits the factual position as appearing from Annexure-4 to the writ application.

In the given facts and circumstances of the case, the writ application is allowed. The impugned order as contained in Annexure-5 issued by the respondent no.3 is hereby set aside. Respondent no.3 is, now, directed to proceed afresh, if so willing, in accordance with law.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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