

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2082 of 2019

Amrendra Kumar Sinha, aged about 62 years, Male, son of Ramdas Singh,
Resident of Village- Salempur, Village Panchayat-Chilor, Police Station-
Gurua, 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 Sub-Divisional Officer, Sherghati, District Gaya.
3. The Sub-Divisional Officer, Sherghati, District Gaya.
4. The Block Supply Officer, Gurua, Dist. Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

This writ application is fit to be allowed on the solitary ground of violation of principles of natural justice. It appears from perusal of Annexure '3', which is the order of cancellation of the licence of the Public Distribution Shop of the petitioner, that the Sub-Divisional Officer, Sherghati, Gaya has passed the impugned order by using only the ornamental words. The reply of the petitioner has not at all been considered and in one line it has been rejected saying that the same was not found satisfactory. The impugned order is also not containing any reason.



Learned counsel for the State submits that there is provision of statutory appeal against the impugned order, however, after going through the contents of the impugned order as contained in Memo No.453 dated 08.12.2018 (Annexure 3), this Court is of the considered opinion that the matter is required to be considered afresh by the Sub-Divisional Officer, Sherghati, Gaya keeping in mind the reply of the petitioner and a fresh decision be taken giving reasons thereof. Thus, instead of keeping the writ application pending, this Court deems it just and proper to quash the order as contained in Annexure '3' and remit the matter to the Sub-Divisional Officer, Sherghati, Gaya for a fresh consideration. Annexure '3' is, accordingly, quashed. The Sub-Divisional Officer, Sherghati, Gaya is directed to consider the matter afresh and pass a reasoned order after considering the reply of the petitioner.

The application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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