

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2797 of 2019

Md. Sohrab (Male), aged about 54 years, Son of Md. Yusuf Resident of Village- Sherpur, Village Panchayat Korma, P.S. Chandauti, Distt. Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Govt. of Bihar, Patna
2. The District Magistrate, Gaya
3. The Sub-Divisional Officer, Sadar Gaya. Gaya.
4. The Block Supply Officer, Town Block, Distt. Gaya. Gaya.
5. The Block Development Officer, Town Block, Distt. Gaya.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Respondent/s : Mr.Upendra Pratap Singh AC to SC4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-06-2019 Petitioner in the present case is aggrieved by the order dated 03.08.2018 as contained in Memo No. 1069 (Annexure '3' to the writ application) by which the Sub-Divisional Officer, Sadar Gaya has been pleased to cancel the license of the petitioner for the Public Distribution System Shop.

Learned counsel for the petitioner has assailed the impugned order saying that the Sub-Divisional Officer, Sadar Gaya while passing the impugned order has failed to look into the show cause submitted on behalf of the



petitioner with the materials enclosed therewith. It is submitted that in the impugned order while allegations have been taken note of, the show cause has been submitted by the petitioner has been rejected in one line saying that it has not been found satisfactory.

Learned counsel for the State submits that in the given facts and circumstances of the case the matter may be remitted back to the Sub-Divisional Officer, Sadar Gaya for a fresh consideration of the reply of the petitioner within a stipulated period.

In the given facts and circumstances of the case, finding that the show cause submitted by the petitioner has not been properly considered by the Sub-Divisional Officer, Sadar Gaya and it has been rejected saying that it has not been found satisfactory, the impugned order as contained in Memo No. 1069 dated 03.08.2018 is hereby quashed and the matter is remitted to the office of Sub-Divisional Officer, Sadar Gaya to examine the complaint and reply of the petitioner afresh on the basis of the materials available on the record and pass an appropriate order thereon giving reasons in support of the order. The whole exercise must be



completed within a period of three months from the date of receipt/production of a copy of this order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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