

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5632 of 2019

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Mundrika Ram, S/o Dhup Lal Ram, Resident of Village and Post- Karma,
Panchayat- Sikariyan, Block- Karakat (Gorari), Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Food and Civil Supply Department,
Govt. of Bihar
2. The District Magistrate, Rohtas
3. The Sub-Divisional Officer, Bikramganj, Dist- Rohtas
4. The District Supply Officer, Rohtas
5. Block Supply Officer, Block- Karakat (Gorari), Dist- Rohtas
6. Marketing Officer, Block- Karakat (Gorari), Dist- Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sekhar Singh, Adv. Mr. Bijay Shankar Choubey, Adv.
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-11-2019 It is the case of the petitioner that after receipt of the show cause notice dated 07.05.2018, as contained in Annexure-2 to the writ application, the petitioner had submitted a reply in the office of the Sub-Divisional Officer, vide Annexure-3 to the writ application, but no receiving thereof was given to the petitioner.

In the impugned order, as contained in Annexure-4 to the writ application, it is recorded that no reply to the show cause notice had been received. The petitioner is granted liberty to file an application before the Sub-Divisional Officer pointing



out his stand that a reply to the show cause notice was submitted in the office of the Sub-Divisional Officer at Bikramganj and in case such assertion of the petitioner is found to be correct, the Sub-Divisional Officer shall consider the reply of the petitioner and pass a fresh order by recalling his earlier order dated 12.11.2018, as contained in Annexure-4 to the writ application. In case, it is found that the reply of the petitioner is not available on the record, the Sub-Divisional Officer may consider giving an opportunity to the petitioner to place his case in the interest of justice. It will be open for the petitioner to assail the impugned order before the appellate authority under Rule 32 of the Bihar Targeted PDS (Control) Order, 2016 if the Sub-Divisional Officer passes any adverse order against the petitioner pursuant to the aforesaid direction of this Court.

This writ application stands disposed off with the aforesaid observations and directions.

(Rajeev Ranjan Prasad, J)

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