

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16109 of 2017

Manorama Devi W/o Anil Kumar Singh Resident of Village - Domdih,
Panchayat - Kabirpur, P.S. - Mairwa, District - Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Food & Consumer Protection Department, Bihar, Patna.
2. The Divisional Commissioner, Saran at Chapra.
3. The District Magistrate-cum-Collector, Siwan.
4. The Sub-Divisional Officer, Sadar Siwan.
5. The Block Supply Officer, Mairwa, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Saket Tiwary, Adv.
For the Respondent/s : Mr.S.Raza Ahmad -Aag5

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 21-12-2019 Heard learned counsel for the petitioner and learned
counsel appearing for the respondents.

Petitioner is aggrieved by order dated 03.09.2015 and
appellate order dated 15.07.2016 contained in Annexure-6 & 7.

Mr. N.K. Agrawal, counsel appearing for the
petitioner submits that the order canceling the PDS license of
the petitioner was passed by the SDO, Sadar, Siwan without
opportunity of hearing as only on the basis of the complaint the
action was taken and petitioner was not issued any show-cause,
the matter was taken to the appellate forum and the District
Magistrate exercising appellate power dismissed the appeal.



Considering the fact that the action was taken adverse to the interest of the petitioner only on the complaint and no opportunity of hearing was provided to the petitioner, the writ petition is allowed, the order dated 03.09.2015 and order dated 15.07.2016 contained in Annexure-6 & 7 are hereby quashed.

The matter is remitted back to the SDO, Sadar, Siwan to provide opportunity of hearing the petitioner and pass appropriate fresh order in accordance with law.

With the aforesaid, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

Prakash Narayan /-

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