

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.383 of 2019

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Shambhu Paswan Son of Gajo Paswan Resident of Village-Raksi, Village Panchayat-Utari Lodhaway, Police Station-Fatehpur, 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 District Magistrate, Gaya.
3. The Sub-Divisional Officer, Sadar Gaya.
4. The Block Supply Officer Fatehpur, Dist.-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.
For the Respondent/s : Mr. V.P. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-10-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In view of the stand taken on behalf of the State no counter affidavit is required to be invited.

Learned counsel for the petitioner submits that no show cause notice was served upon the petitioner and in fact the show cause seems to have been served upon some other person because of which the petitioner was unable to file his show cause/reply.

Learned counsel for the State submitted that in the given circumstance, one opportunity may be given to the petitioner.



In the given facts and circumstances, the impugned order is set aside. The matter is remitted to the Sub-Divisional Officer, Gaya. The petitioner will file his reply/show cause within three weeks from today which will be considered and examined by the Sub-Divisional Officer, Gaya and a fresh reasoned order shall be passed within a maximum period of three months.

The writ petition stands disposed of accordingly.

Let the license and supply of the petitioner be restored.

(Rajeev Ranjan Prasad, J)

Prakash Narayan /-

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