

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18195 of 2019

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Ram Vilakshan Tiwary Son of late Khattar Tiwary, Resident of Village- Phent,
P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The District Magistrate, District- Madhubani.
4. The Sub-Divisional Officer, Sub-Divisiona -Jai Nagar, District- Madhubani.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2 13-11-2019 The grievance of the petitioner is that although pursuant to the order as contained in memo no.55 dated 16.02.2018 issued under the signature of the Sub-Divisional Officer, Jainagar as contained in Annexure-1 series the petitioner has submitted his show cause vide Annexure-2 to the writ application, despite a lapse of one and half year by now, the show cause has not been considered and no final decision has been taken. Learned counsel submits that being aggrieved by the pendency of the show cause and issuance of the suspension order for long time the petitioner has preferred one Supply Appeal Case No.85 of 2018-19 before the Collector, Madhubani. Although at the time of preferring of appeal on



05.02.2019 it has been wrongly recorded by the Collector, Madhubani that the appeal of the petitioner has been filed against the order of cancellation of licence, the fact remains that the appeal has been preferred only against the order of suspension.

In the given facts and circumstances of the case, learned counsel submits that a direction may be issued to the Sub-Divisional Officer, Jainagar to take a final view of the matter, consider the show cause and pass an appropriate order thereon.

Considering the facts and circumstances of the case and the nature of the reliefs prayed, this Court directs the Sub-Divisional Officer, Jainagar, District-Madhubani to examine the grievance of the petitioner and in case the show cause of the petitioner has still not been considered and no final decision has been taken thereon with respect to the licence of the petitioner bearing no.52/2016, the Sub-Divisional Officer, Jainagar (respondent no.4) shall take a final decision after considering all the materials and giving an opportunity to the petitioner within a period of 90 days from the date of communication of this order. In view of the aforesaid direction, the petitioner undertakes to withdraw the appeal which is presently pending before the



Collector, Madhubani within a period of four weeks from today.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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