

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23379 of 2019

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Virendra Paswan, aged about 48 years (Male) S/o Raghuni Paswan
Resident of Village- Madhwara, P.S.- Paliganj, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar Through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Paliganj, Patna.
4. The Block Supply Officer, Paliganj, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Anujit Sinha, Advocate

For the Respondents : Mr.Alok Ranjan, AC to AAG 5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 28-11-2019

Heard the learned counsel for the parties.

The petitioner has challenged the order dated 19.10.2019 passed by the Sub-Divisional Officer, Paliganj, Patna whereby the PDS license of the petitioner has been cancelled.

From perusal of the order impugned, it appears that no ground has been assigned while coming to the conclusion that the petitioner has been made himself liable for cancellation of his license. It appears further that earlier by order dated 19.01.2019, the license of the petitioner was cancelled but it was set aside by a coordinate Bench of this Court vide order dated 10.06.2019 passed in CWJC No. 2949 of 2019 on the ground of



the order being absolutely non-speaking. It appears that again the concerned authority has expressed the same view while passing the order but without assigning any reason.

Consequently, this Court has no option and sets aside the order dated 19.10.2019 passed by the Sub-Divisional Officer, Paliganj, Patna and remits the matter to the concerned Officer for fresh consideration and disposal by a speaking order after grant of opportunity of hearing in accordance with law.

In the meantime, the license of the PDS shop of the petitioner shall be restored without any delay until fresh orders are passed by the concerned authority.

With the aforesaid observation and direction, the writ petition stands disposed of.

(Ashutosh Kumar, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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