

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25496 of 2019

Abhay Kumar, S/o Chandardev Singh, Resident of Veerpur Nagwan Khas,
Nagwan, P.s.- naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Collector, Patna.
3. The Sub Divisional Officer, Danapur, Patna.
4. The Block Supply Officer, Naubatpur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Alok Ranjan, AAG-5

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioner and the

State.

The petitioner has challenged the order dated
22.08.2019 contained in Memo No. 26 passed by the
Sub-Divisional Officer, Danapur, Patna whereby the PDS
license of the petitioner against License No. 07/2016
has been cancelled.

It has been submitted on behalf of the
petitioner that the order is absolutely non-speaking as it



does not state the reasons for rejecting the reply against the show-cause notice issued to him. Such order, it has been urged, cannot be sustained as specific grounds had been raised by the petitioner which do not appear to have been adverted to.

From the perusal of the order impugned, it appears that except for listing the complaints against the petitioner, there is no reflection of any application of mind on the reply furnished by the petitioner.

The order, therefore, cannot be sustained in the eyes of law.

The order dated 22.08.2019 passed by the Sub-Divisional Officer, Danapur is set aside.

The matter is remitted to the Sub-Divisional Officer, Danapur, Patna (respondent No. 3) to write out a fresh order in accordance with law within a period of sixty days of the receipt of the copy of this order.

In the meantime, the allotment to the petitioner shall be given so that the targeted beneficiaries are not



put to any difficulties.

With the aforesaid observation/direction, the
writ petition stands disposed off.

(Ashutosh Kumar, J)

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