

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1755 of 2020

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Om Prakash Choudhary @ Chaudhary, aged about 42 years, male, S/o Late Rajendra Choudhary @ Chaudhary, Resident of Village-Harpur Mahmadda, P.S.-Pusa, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Bihar State Food Consumer Protection Department, Government of Bihar, Patna.
2. The Collector, Samastipur.
3. The Sub-Divisional Officer, Samastipur.
4. The Block Supply Officer, Samastipur.
5. The Block Supply Officer, Pusa, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr. S.Raza Ahmad (AAG-5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 24-02-2020

The order dated 09.12.2019 passed by the Sub-Divisional Officer, Samastipur, is under challenge in the present petition, whereby the licence of the petitioner has been cancelled.

2. The aforesaid order dated 09.12.2019 is too cryptic for this Court to sustain the same. No



notice also appears to have been sent to the petitioner for explaining his cause. The order impugned also does not refer to any reason why such a decision has been taken.

3. Except for regretting the manner in which the order has been passed and therefore setting it aside, there is no other option for this Court.

4. The impugned order dated 09.12.2019 is therefore set-aside.

5. The matter is remitted to the Sub-Divisional Officer, Samastipur (respondent No. 3) for writing out a fresh order in accordance with law after providing a reasonable opportunity to the petitioner to explain his cause. It is needless to state that without a proper show-cause notice intimating the charges to the petitioner, no such order can be and ought to be passed.

6. The entire exercise must be completed within a period of ninety days from the date of receipt/production of a copy of this order.



7. The writ petition stands allowed and
disposed off in terms of what has been stated above.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	26.02.2020
Transmission Date	N/A

