

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1303 of 2020

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Akalesh Kumar @ Akalesh Prasad Son of Late Damodar Lal, Resident of
Manikpur, P.S.-Kurtha, District-Arwal

... .. Petitioner/s

Versus

1. The State of Bihar through the Food Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Sub Divisional Officer, Arwal at Arwal, Bihar
3. The ADSO, Arwal at Arwal, Bihar.
4. Mr. Mukesh Kumar, the Block Supply Officer, Block-Kurtha, District-Arwal, Bihar.
5. Sh.Ravi Prakash-PACS Dealer, Panchayat-Naghwana, Kurtha, Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Swetabh
For the Respondent/s : Mr. S.Raza Ahmad (AAG5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the parties.

The petitioner is aggrieved by the order dated 23rd of November, 2019 passed by the Sub-Divisional Officer, Arwal, whereby the license of the petitioner has been cancelled.

From the perusal of the order impugned, it appears that except for listing the dates on which various procedures were followed, there has been no application of mind.



The grounds raised by the petitioner in his show cause reply does not appear to have taken into account. Even if it has, it does not get reflected in the contents of the order. The order therefore can easily be called a non-speaking order, which is unsustainable in the eyes of law.

For the aforesaid reasons, the order impugned is set aside.

The matter is remitted to the Sub-Divisional Officer, Arwal (Respondent No. 2) to write out a fresh order in accordance with law. To facilitate this exercise, the petitioner is directed to make an application before the Sub-Divisional Officer, annexing the copy of this order within a period of two weeks, on receipt of which the Sub-Divisional Officer shall initiate the proceeding in as much as he would permit the petitioner to file his written response afresh and on such grounds, a reasoned order shall be passed within a period of 90 days. Needless to state that the order passed by the



Sub-Divisional Officer shall be intimated to the petitioner.

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

(Ashutosh Kumar, J)

skm/-

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