

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5250 of 2020

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Nawal Kishore Prasad Singh, aged about 58 years, Male, Son of Ram Chandra Prasad Singh @ Ram Chandra Singh, Resident of Village- Wajitpur, Police Station and Block- Silao, Gram Panchayat and Post Office- Mahuri, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Commerce, Government of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The District Supply Officer, Nalanda at Biharsharif.
4. The Assistant District Supply Officer, Nalanda at Biharsharif.
5. The Sub Divisional Officer, Rajgir, District- Nalanda.
6. The Block Supply Officer, Silao, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
For the State : Mr. Arvind Ujjwal, S.C.4

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2020 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner and Mr. Arvind Ujjwal, learned S.C.4 through video conferencing.

The petitioner seeks quashing of the order dated 27.05.2019, passed by the Sub-divisional Officer, Rajgir, District Nalanda as contained in Memo No.183/Supply by which the licence bearing Licence No.71/2007 of the petitioner has been cancelled.

Learned counsel for the petitioner submits that the petitioner filed show cause before the licensing authority but from



the order, it would appear that no part of the show cause filed by the petitioner has been taken into consideration nor any enquiry report was submitted before the licensing authority. It is further submitted that the petitioner filed appeal on 29.06.2019 against the order of the licensing authority but till date even the number of the appeal has not been given. The District Magistrate, Nalanda, Bihar Sharif has not disposed of the appeal although the same is pending for more than a year.

Since the statutory appeal against the order of the licensing authority cancelling the licence is pending, therefore, I think it just and proper to direct the District Magistrate, Nalanda, Bihar Sharif to dispose of the appeal of the petitioner on its own merit within 1½ months from the date of receipt of this order.

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

If the appeal filed by the petitioner is not disposed of within 1½ months, the order suspending the licence of the petitioner shall be deemed to have been vacated.

(Prabhat Kumar Jha, J)

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