

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20696 of 2019

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Ram Autar Yadav @ Ram Watar Yadav S/o Laxmi Yadav resident of Village-
Malin, Bela, P.S.- Lalmaniya, District- Madhubani- 847227.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector cum District Magistrate,
Madhubani, District- Madhubani.
2. The Sub- Divisional Officer, Phulparas, Sub- Divisional Office Phulparas,
District- Madhubani.
3. The Asst. District Supply Officer, Phulparas, Phulparas Sub- Division,
District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Nath Kanth
For the Respondent/s : Mr. S.Raza Ahmad (AAG5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-02-2020 Heard the learned counsel for the petitioner and

the State.

The petitioner has challenged the order dated
08.08.2019 passed by the Sub-Divisional Officer,
Phulparas, whereby the license of the petitioner has
been cancelled.

The order has been challenged on the ground
that the reasons specified by the petitioner have not
been properly considered and one of the issues on which
the order of cancellation has been passed was never



pointed out to the petitioner for him to respond.

From the perusal of the order impugned, it appears that he was noticed for explaining the reason for keeping the shop closed on a working day and not providing foodgrains / essential items to the beneficiaries and providing lesser quantity of such essential items to such beneficiaries.

The petitioner but was never confronted with the issue of using single card number for showing supply of foodgrains to two of the beneficiaries.

In that view of the matter, it has been urged that the order suffers from a serious vice of the decision hinging on an issue over which no notice was given to the petitioner.

These grounds can very well be agitated by the petitioner before the appellate authority.

Should the petitioner prefer an appeal within a period of 60 days before the appellate authority, the same shall be entertained and a reasoned order shall be



passed within a further period of 60 days. The appellate authority shall pass an order without being prejudiced by the fact that the present petition has not been entertained by this Court.

The writ petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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