

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23229 of 2019

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Harendra Prasad S/o Late Nathuni Sah Public Distribution System Dealer
Panchayat Kerma Diah, P.S.- Kudhani, Village- Badakpur, P.S. Kudhani,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary Food and Civil Supply Department, Govt. of Bihar Patna.
2. The Sub- Divisional Magistrate West Muzaffarpur.
3. The Block Supply Officer Kudhani.
4. The Block Supply Officer Sariya.
5. The Block Supply Officer Motipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi, Advocate
For the Respondent/s : Mr. Arvind Ujjawal (SC-4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 14-02-2020

The petitioner, a licensee under the Public Distribution System has challenged the order dated 11.09.2019 passed by the Sub-Divisional Magistrate, West, Muzaffarpur whereby the license of the petitioner has been cancelled.

The sole ground urged on behalf of the petitioner is that from perusal of the order impugned, no reasoning would be reflected for rejecting the show cause reply of the petitioner.

Perused the order.

One of the grounds and in fact the major ground for rejecting the explanation of the petitioner is that the



petitioner has disputed the very factum of the concerned officer having visited his shop on one occasion. How could this reflect any non-performance on the part of the petitioner is not understandable.

The order does not appear to be reasonable and speaking.

For the aforesaid reasons, the order dated 11.09.2019 is set aside.

The matter is remitted to the Sub-Divisional Magistrate, West, Muzaffarpur for writing out a fresh order in accordance in accordance with law with reasons within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.02.2020
Transmission Date	

