

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.907 of 2020

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Raj Kumar Paswan, son of Paliti Paswan, resident of Village Haripur,
Gauridas tol, Ward no. 8, Block Kaluahi, P.S.- Kaluahi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection,
Govt.of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub Divisional Officer Sadar, Madhubani.
4. The Block Supply Officer Kaluahi, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the parties.

The petitioner has challenged the order dated
27.11.2019 passed by the Sub-Divisional Officer, Sadar,
Madhubani whereby the license of the petitioner to run
the public distribution shop has been cancelled.

From the perusal of the order impugned, it
appears that except for noting down the developments in
the case, no attention/consideration appears to have
been given to the reply filed by the petitioner against the
show-cause notice.



The order impugned is clearly a non-speaking order which cannot be sustained in the eyes of law.

For the sole aforesaid reason, the order dated 27.11.2019 passed by the Sub-Divisional Officer, Sadar, Madhubani is set aside. The matter is remitted to the Sub-Divisional Officer, Sadar, Madhubani (respondent No. 3) to write out a fresh order in accordance with law.

In order to facilitate this exercise, the petitioner is directed to bring a copy of this order before the Sub-Divisional Officer within a period of three weeks from today, who, on receipt of the aforesaid order, shall re-initiate the proceeding by giving opportunity to the petitioner to file his show-cause reply afresh and the same shall be considered in correct perspective. In case it is so required by the licensing authority, the petitioner shall also be afforded an oral hearing before passing any order. The order shall be passed by the concerned respondent within a period of sixty days of the receipt of a copy of this order.



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

(Ashutosh Kumar, J)

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