

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6419 of 2021

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Laleshwar Prasad Singh Son of Lorik Singh P.D.S. Dealer, Gram panchayat-
Asani, P.s.- Udwant Nagar, District- Bhojpur, Ara

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, patna
2. The District Magistrate, Bhojpur, District- Bhojpur, Ara
3. The Sub Divisional Officer, Sadar, Ara, District- Bhojpur, Ara
4. The Block Supply Officer, Block- Udwant Nagar, District- Bhojpur, Ara

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary, Adv.

For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-09-2021 The present writ petition has been filed for quashing of the order dated 3.2.2021 passed by the Sub-Divisional Officer, Sadar Ara whereby and whereunder the PDS license of the petitioner bearing license no. 72/2018 has been cancelled.

The short point raised by the learned counsel for the petitioner is that a bare perusal of the show cause notice dated 15.6.2020 issued by the Sub-Divisional Officer, Sadar Ara would show that though inspection report was submitted before him by the Block Supply Officer, Udwant Nagar, however, a copy of the same was not provided to the petitioner, resulting in the



petitioner being precluded from submitting his wholesome defence, which in turn has resulted in the violation of the principles of natural justice. It is thus submitted that the impugned order dated 3.2.2021 stands vitiated in the eyes of law.

Per contra, the learned counsel for the Respondent-State, Sri Alok Ranjan (AC to AAG-5), has not disputed the position, as is existing in law.

Having regard to the facts and circumstances of the case and having considered the submissions made by the learned counsel for the parties, this Court finds that admittedly, a copy of the inquiry report has not been furnished to the petitioner, resulting in the petitioner being precluded from submitting his wholesome / proper defence, which in turn has resulted in violation of the principles of natural justice, hence, the impugned order dated 3.2.2021 is unsustainable in the eyes of law, thus, is quashed, however, the matter is remanded back to the Sub-Divisional Officer, Sadar, Ara to proceed afresh, in accordance with law.



The writ petition stands allowed.

(Mohit Kumar Shah, J)

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