

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1876 of 2021

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Parewa Primary Agriculture Co-operative Society (PACS) thorough its Chairman Vijay Kumar, Gender-Male, aged about 37 Years, Son of Satahu Ray, Resident of Village-Parei, P.S.-Chiriyya, District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar thorough the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-Cum-Collector, District-East Champaran, Motihari.
3. The District Supply Officer, Motihari, District-East Champaran, Motihari.
4. The Sub-Divisional Officer, Sikarhana, Dhaka, District-East Champaran, Motihari.
5. The Block Supply Officer-Cum-Block Development Officer, Chirayaa, District-East Champaran, Motihari.
6. The Block Supply officer, Dhaka, District-East Champaran.
7. The Block Supply officer, Ghorasahan, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Pankaj, Adv. Mr. Pratiyush Kumar, Adv.
For the State	:	Mr. Upendra Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 01-12-2021 The present writ petition has been filed for quashing the order dated 14.9.2019 passed by the Sub-Divisional Officer, Sikarhana, Dhaka, whereby and whereunder the license of the PDS shop of the petitioner bearing license no. 143/11-12 has been cancelled.

The learned counsel for the petitioner has



submitted that a bare perusal of the impugned order dated 14.9.2019 would show that the same is an unreasoned and a non-speaking order, which has virtually not considered the show cause reply filed by the petitioner, hence, the same stands vitiated in the eyes of law.

The learned counsel for the Respondent-State, Sri Upendra Pratap Singh (AC to SC-4), has not disputed the position, as is existing in law.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner as also that of the learned counsel for the Respondent-State and upon perusal of the materials on record, this Court finds that the impugned order dated 14.9.2019 does not depict any application of mind, is an unreasoned and a non-speaking order and no clear, succinct or cogent reasons have been furnished so as to warrant cancellation of the license of the petitioner, hence, the same stands vitiated in the eyes of law, thus, is quashed. However, the matter



is remanded back to the Sub-Divisional Officer,
Sikarhana, Dhaka to proceed afresh in the matter,
in accordance with law.

The writ petition stands allowed.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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