

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10872 of 2021

=====

Dilip Kumar Dubey S/o Dev Narayan Dubey Resident of Village - Patar
Pahri, P.S. - chakai, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar, Department of Food and Consumer Protection,
Government of Bihar, Patna.
2. The Collector, Jamui.
3. The Sub Divisional Officer, Jamui.
4. The Block Supply Officer, Chakai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Dhananjaya Nath Tiwari, Advocate
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to Standing Counsel-4

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-10-2021 The present writ petition has been filed seeking quashing
of the order dated 08.04.2021, whereby and whereunder the
PDS licence of the petitioner bearing License No. 15010018 of
2016 has been cancelled.

The learned counsel for the petitioner has referred to the
show cause notice dated 12.03.2021 to show that admittedly the
enquiry report has not been furnished along with the show cause
notice as the same does not mention about any enclosure being
appended therewith, hence it is submitted that the same has
resulted in violation of the principles of natural justice.

The learned counsel for the respondent-State Shri
Upendra Pratap Singh, AC to Standing Counsel-4 has not



disputed the position as is existing in law.

Having regard to the facts and circumstances of the case and considering the materials on record, this Court finds that a bare perusal of the show cause notice dated 12.03.2021 would show that admittedly the same does not mention about any enclosure being supplied along with the said show cause notice dated 12.03.2021, hence apparently the enquiry report has not been supplied to the petitioner, which has resulted in violation of the principles of natural justice, in as much as the petitioner has been precluded from being granted adequate opportunity to furnish his wholesome defence, thus, the impugned order dated 08.04.2021 stands vitiated in the eyes of law, hence is quashed, however, the matter is remanded back to the Sub-Divisional Officer, Jamui, with liberty to proceed afresh in the matter, in accordance with law.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

