

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5257 of 2021

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Ramdev Paswan, S/o Prmeshwar Paswan, R/o Village-Kalopur, P.S.-Paliganj,
District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Paliganj, Patna.
4. The Block Supply Officer, Paliganj, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anujit Sinha, Advocate
		Mr. Binay Kumar, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2021

The present petition stands filed, invoking the jurisdiction of this court under Article 226, Constitution of India.

The petitioner has prayed for the following relief/s :

“for setting aside the order dated 24.05.2020 passed in Case No.02/2020 Paliganj contained in Memo No.193/Aa dated 25.05.2020 by which the Sub Divisional Officer, Patna was pleased to cancel the P.D.S. license of the petitioner to carry



on trade as a P.D.S. dealer.”

The petitioner is a dealer under the Public Distribution System whose license stood cancelled upon an inspection conducted by B.S.O, Paliganj, pursuant to which the S.D.O issued notice to him on 16.04.2020, granting him 7 days time to file documents in favour of his case, and soon after, passed an order revoking the license on 24.05.2020. Hence, this present petition.

We find that, the impugned order is a non-speaking and cryptic one as it only mentions the irregularities found during inspection and does not detail the testimonies on the basis of which the licence has been cancelled on account of inadequate countering of allegations by the petitioner. The objection filed by the petitioner was neither referred to nor dealt with by the Officer.

As such, on this short ground alone, we quash and set aside the order dated 24.05.2020 passed by the Sub-Divisional Officer, Paliganj remanding the matter back to the officer concerned for passing a fresh order in accordance with law.

Since the matter pertains to the year 2020, petitioner shall appear before the appropriate authority on 10.01.2022, on which date, he shall also file a detailed response and place on



record materials in support of his case.

The appropriate authority shall pass a fresh order assigning reasons within a period of four weeks thereafter. Liberty reserved to assail the same before the appropriate forum, should the need so arise.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	24.12.2021
Transmission Date	

