

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8718 of 2020

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Nirmal Kumar Son of Samhut Singh Resident of Paki Gaon Arrah, District
Bhojpur Arrah, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Divisional Commissioner, Bhojpur Ara.
2. The Divisional Commissioner, Bhojpur Ara.
3. The District Magistrate, Bhojpur, Ara.
4. The Sub Divisional Officer, Bhojpur Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-02-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is aggrieved by the order contained in
Annexure-2.

Mr. Sanjeev Kumar Mishra, learned counsel
appearing on behalf of the petitioner submits that the order,
canceling the PDS license of the petitioner was passed without
opportunity of hearing to the petitioner.

Learned counsel for the State would submit that the
respondents have issued show cause notice to the petitioner and
thereafter they have decided to cancel the PDS license of the
petitioner.

Mere issuance of show cause is not enough as the



petitioner was not served show cause notice and he was not provided opportunity of hearing, any action which adversely affect the interest of the petitioner is unsustainable in the eyes of law as nullity and violation of principle of natural justice.

In view of the stand taken by the parties, the writ petition is disposed of with a direction to the respondents to verify the record and if it is found that the show cause notice was not served on the petitioner and he was not provided opportunity of hearing as contained in Annexure-2, the respondents shall take fresh decision in accordance with law after opportunity of hearing to the petitioner in accordance with law.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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