

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1014 of 2021**

Md. Arshad Alam S/o Md. Ashfaque Alam, R/o Gram-Maujabari, Panchayat-Raibair, P.O. and P.s.-Routa, Block-Baisa, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply, Government of Bihar, Patna.
2. The Divisional Commissioner, Purnia.
3. The District Magistrate, Purnia.
4. The Sub-divisional Officer, Baisi, Purnia.
5. The Block Supply Officer, Baisa, Purnia.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                               |
|----------------------|---|-------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. N.K.Agrawal, Sr. Adv.<br>Mr.Rajiv Ranjan, Adv.<br>Ms. Preety Kunwar, Adv. |
| For the Respondent/s | : | Mr. Upendra Pratap Singh, AC to SC-4                                          |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      03-11-2021

**Ref.:-I.A. No. 1 of 2021**

The present interlocutory application has been filed for amending the writ petition inasmuch as now the petitioner seeks quashing of the order dated 19.11.2020 passed by the Sub-Divisional Officer, Baisi, Purnia whereby and whereunder the PDS license of the petitioner has been cancelled.

The learned counsel for the Respondent-State, Sri Upendra Pratap Singh (AC to SC-4), has got no objection.



Accordingly, I.A. No. 1 of 2021 is allowed and the registry is directed to add the prayer made in paragraph no. 1 of the present petition as additional prayer to paragraph no. 1 of the main writ petition.

CWJC No. 1014 of 2021

The present writ petition has been filed for quashing the order dated 19.11.2020 passed by the Sub-Divisional Officer, Baisi whereby and whereunder the license of the PDS shop of the petitioner bearing license no. 33/2018 has been cancelled.

The learned Senior Counsel for the petitioner, Sri N.K.Agrawal, has submitted that a bare perusal of the impugned order dated 19.11.2020 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 Senior 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 19.11.2020 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, Baisi, Purnia to proceed afresh in the matter, in accordance with law.

The writ petition stands allowed.

**(Mohit Kumar Shah, J)**

Ajay/-

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