

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24812 of 2019

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Sanjay Kumar @ Sanjay Kumar Paswan Jagdish Paswan R/o Village-
Gospurpatti Paschim Tola, P.S.- Basantpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector Supaul.
3. The Sub- Divisional Officer Birpur.
4. The Block Supply Officer Birpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akash Chaturvedi
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 28-01-2021

The present writ petition has been filed for quashing the order dated 24.08.2019 passed by the Sub-Divisional Officer, Birpur (Supaul) whereby and whereunder the public distribution system licence of the petitioner has been cancelled.

The short issue raised by the petitioner is regarding non-supply of the inquiry report along with the show cause notice resulting in the petitioner being precluded from submitting a wholesome reply as also putting forth his defence in a proper manner. Reference in this regard has



been made to a judgment reported in 2013(2) PLJR 706.

Per contra, the learned counsel for the State has not been able to controvert the aforesaid position as existing in law.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, this Court finds that though an inquiry was conducted and the inquiry report was submitted by the Assistant District Supply Officer, Birpur, however, the same has not been supplied to the petitioner, as is apparent from the categorical statement made by the petitioner in paragraph no. 6 of the present writ petition, hence, the petitioner has been precluded from submitting his wholesome defence resulting in violation of the principles of natural justice, which has vitiated the impugned order dated 24.08.2019 passed by the Sub-Divisional Officer, Birpur (Supaul), thus, the same is quashed, however, with liberty to the Sub-Divisional Officer, Birpur (Supaul) to proceed afresh in accordance with law, if so



advised.

The writ petition stands allowed.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.02.2021
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