

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.686 of 2022

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Yogendra Singh S/o Late Chandradeep Singh Resident of Village-Rahampur,
Panchayat-Phuctikala, P.S.-Ekma, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Departemnt of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Saran at Chapra.
3. The Sub-Divisional Officer, Sadar Chapra, District-Saran.
4. The Block Supply Officer, Ekma, District-Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari
For the Respondent/s : Mr. Alok Ranjan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 02-03-2022 Heard Mr. Dhananjaya Nath Tiwari, learned

Advocate for the petitioner and Mr. Alok Ranjan for the

State.

The petitioner has challenged the order dated

03rd of December, 2021, contained in Memo No.1379,

passed by the Licensing Authority, namely, Sub-

divisional Officer, Sadar, Chapra whereby the licence of

the petitioner has been cancelled.

The learned counsel for the petitioner has



disputed the factual position regarding his misbehaving with the Block Supply Officer at the time of enquiry. He has further submitted that even though he had replied to the charges foisted against him in his capacity as a licensee, but those grounds appear to have been ignored on the complaint made by the inspecting authority that the petitioner had misbehaved during the time of enquiry.

Learned counsel for the petitioner has submitted that without inquiring into the correctness of the aforesaid charge against the petitioner and without the same having been put to him in the proceeding by way of notice, no decision should have been taken by the Licensing Authority. He further challenges the aforesaid order on the ground of it being misdirected and not focusing on the charges and the defence of the petitioner, but on an extraneous consideration, namely, the so called foul behaviour of the petitioner.

In any view of the matter, we deem it



appropriate that such grounds may be taken by the petitioner in appeal against the aforesaid order.

This writ petition is disposed of with a direction to the petitioner to challenge the order impugned in the present petition before the appellate authority within a period of four weeks, when the appellate authority shall take up the matter and after providing all opportunities to the petitioner, shall pass an order in accordance with law within the next sixty days as mandated under the Control Order of 2016.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

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