

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1285 of 2022

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Ramswarup Paswan Son of Narayan Paswan Resident of Village- Bhikhanpur,
Panchayat- Sheikhpur, P.S.- Ahiyapur, Block- Mushahari, District-
Muzaffarpur.

... .. Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
5. The District Supply Officer, Muzaffarpur, District- Muzaffarpur.
6. The Sub-Divisional Officer, East Muzaffarpur, District- Muzaffarpur.
7. The Block Supply Officer, Mushahari, District- Muzaffarpur.

... .. Respondents.

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Appearance :

For the Petitioner	:	Mr. Pankaj Kumar Singh, Advocate
For the Respondents	:	Mr. Arvind Ujjwal, SC-4
		Mr. Upendra Pratap Singh, AC to SC-4

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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)

2 24-02-2022 Heard Mr. Pankaj Kumar Singh, learned
Advocate for the petitioner and Mr. Upendra Pratap
Singh for the State.

The licence of the petitioner has been cancelled
by the Licensing Authority, namely, the Sub-divisional
Officer, East Muzaffarpur vide order dated 13.05.2021,
on the ground that no show cause reply has been filed
by the petitioner.

Learned counsel for the petitioner has drawn



the attention of this Court to the show cause notice dated 27.04.2021, as contained in Memo No.1196, by which the petitioner was given only three days to explain his cause. The petitioner could not file the reply to the charges in such short notice.

We are, therefore, of the view that the petitioner ought to be given reasonable opportunity to explain his cause.

We set aside the impugned order dated 13.05.2021 and direct the Licensing Authority (respondent no.6) to hear the petitioner afresh after affording reasonable opportunity to him to explain his cause and pass a final order within a period of 60 days from the date of receipt/production of such order.

With the aforesaid observation and direction, this writ petition stands disposed of.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

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