

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.65 of 2019

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Braj Kishore Singh, S/o Late Nagendra Singh, resident of Village- Madhaul,
P.S.- Maniyari District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Muzaffarpur.
3. The Sub-Divisional Officer, West Muzaffarpur.
4. The Block Supply Officer, Kudhani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi

For the Respondent/s : Mr. Arvind Ujjwal- SC4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 10-08-2022 The licence of the petitioner was cancelled.

Whereafter, the petitioner approached this Court vide

C.W.J.C No. 13674 of 2018. This Court vide order dated



02.08.2018 directed the Collector of Muzzafarpur to dispose of the appeal preferred by the petitioner within a period of one month from the date of receipt/production of a copy of that order.

Pursuant to the aforesaid order, the Appellate Authority though has passed the order affirming the decision of the Licensing Authority to cancel the licence of the petitioner but we find that the response of the petitioner has not been adverted to and the same set of reasons have been pressed into use as was employed by the Licensing Authority to cancel the license of the petitioner.

For the afore-noted reasons, we are not inclined to sustain the appellate order and, therefore, we set it aside.

The matter is remitted to the Appellate Authority to write out a fresh order in accordance with law after adverting to the grounds raised on behalf of the petitioner.

Such order shall be passed within a period of 60 days from the date of receipt/production of a copy this order.

Needless to state that reasons ought to be



accorded in support of the decision taken by the Appellate
Authority.

With aforesaid observation/direction, this
petition stands disposed of.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Skm/uttam/-

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