

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3052 of 2022

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Kundan Kumar S/o Ramashish Ram, R/o Kangalichouki, Yogiyatalaw, P.S. -
Pirpanti, Kirtania, Bhagalpur, Bihar - 813209.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Commissioner, Bhagalpur, Bihar.
3. The District Magistrate, Bhagalpur, Bihar.
4. The Sub Divisional Officer - Cum - Licensing Authority, Kahalgaon, Bhagalpur, Bihar.
5. Block Supply Officer, Pirpanti, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Puneet Siddhartha, Advocate Mr. Aryan Sinha, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC4 Mr. Upendra Pratap Singh, AC to SC4

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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 09-03-2022 Heard Mr. Aryan Sinha, learned Advocate for

the petitioner and Mr. Upendra Pratap Singh for the

State.

The petitioner has challenged the order dated
15.07.2021, passed by the licensing authority whereby
the licence of the petitioner has been cancelled.

The sole ground of challenge is that the order



does not give any reason whatsoever and the licence of the petitioner has been cancelled on the ground that the explanation offered by him is unsatisfactory.

This is no order in the eyes of law.

It may be noted that the licence of the petitioner was suspended and show-cause notice was issued to him to which he had replied promptly.

None of the grounds taken by him in his defence has been taken into account.

We cannot sustain the aforesaid order.

The order is thus set aside.

The matter is remitted to the licensing authority to pass a fresh order in accordance with law.

We further direct that a fresh notice be issued on the petitioner and an opportunity be given to him to reply to all the charges against him and on receipt of the reply, the licensing authority shall pass a final order, providing reasons within a period of sixty days thereafter.



The licensing authority is expected to maintain the timeline provided in this order.

The petition stands allowed and disposed of accordingly.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

Sanjay/-

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