

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3225 of 2022

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Dakshni Lodhwe Pacs through its Chairman, namely Manju Devi aged about 37 Years (Female), W/o Anand Kumar, Resident of Vilage-Kathiauth, P.S.- Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Sub Divisional Officer, Sadar, Gaya.
4. The Block Supply Officer, Fatehpur, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr.Arvind ujawal (SC4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 27-04-2022

Heard learned counsel for the parties.

The petitioner's P.D.S. license has been cancelled by the Licensing Authority namely Sub-Divisional Officer, Sadar, Gaya vide order dated 10.12.2021.

The learned counsel for the petitioner has challenged the same on the grounds that similar such notice was given to him earlier but no action was taken pursuant to the aforesaid notice and that the inspection report, on the basis of which the second notice was given, has not been afforded to him for him to effectively reply. Apart from this, it has been submitted that the order does not reflect that the grounds in the reply has been taken into account.



None of these grounds however appear to be tenable for entertaining this petition without the petitioner having exhausted the remedy of appeal, which is available to him.

The learned counsel for the petitioner is therefore directed to challenge the aforesaid order of cancellation of license, if so advised, before the Appellate Authority.

Should such an appeal be filed within a period of thirty days, it shall be disposed of by a reasoned order after providing opportunity to the petitioner to represent his cause within the next sixty days.

On the production of a copy of this order before the Licensing Authority, he shall furnish to the petitioner a copy of the inquiry report.

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

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.04.2022
Transmission Date	

