

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20081 of 2018

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Manoj Kumar Ranjan S/o Gajadhar Prasad R/o Cillage Janidih, P.S.- Ghogha,
P.S.- Kahalgaun, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Bhagalpur, District- Bhagalpur
3. The Sub-Divisional Officer, Kahalgaun, District- Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE NAWNEET KUMAR

PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 23-11-2022

Heard Mr. Rajeev Kumar Labh, learned Advocate

for the petitioner and Mr. Upendra Pratap Singh for the

State.

The license of the petitioner has been cancelled

after observing that he has not responded to the show-

cause notice issued to him.

Mr. Labh has pointed out that the show-cause

reply was filed which was received in the office of the

licensing authority, which he has demonstrated by showing



the initials on the left-hand side of Annexure-3, which is a copy of the reply filed by the petitioner. The other grievance of the petitioner is that the licensing authority himself had inspected the shop and had issued notice to him.

We are of the considered view that the petitioner must get an opportunity of explaining his cause.

Mr. Labh in this context submits that he shall not take objection to the inspection made by the licensing authority himself and shall respond to the show-cause notice, if issued to him afresh.

The order passed by the licensing authority, therefore, is set aside.

The matter is remitted to the licensing authority to issue a fresh notice to the petitioner within a period of fifteen days of the receipt/production of a copy of this order. The petitioner shall be given reasonable opportunity of presenting his cause and the licensing authority after adverting to the reply of the petitioner shall pass a



reasoned order, which shall be communicated to the petitioner. This order shall be passed within a period of sixty days of the petitioner having responded to the notice.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

krishna/-

AFR/NAFR	NAFR
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