

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4232 of 2022

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Ramswarth Singh son of Late Dindayal Singh resident of Village- Rasoolpur
Turki P.O.- Asoi, P.S.- Bhagwanpur, District- Vaishali at Hajipur, An ex-
P.D.S. Dealer of Goraul, Block District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Old Secretariat, Patna- 15
2. The Secretary, Food and Consumer Protection Department, Govt. of Bihar, Old Secretariat, Patna- 15.
3. District Collector, Vaishali at Hajipur
4. The Sub Divisional Officer, Mahua
5. The Addl. S.D.O. Mahua
6. The Prabhari Asstt. District Supply Officer, Mahua.
7. The Prabhari Block Supply Officer, Goraul, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Sinha
For the Respondent/s : Mr. Alok Ranjan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 20-06-2022 Heard Mr. Akhilesh Kumar Sinha, the learned

counsel for the petitioner and Mr. Alok Ranjan, the learned

counsel for the State.

The P.D.S. license of the petitioner was first
suspended for his having become an accused in a criminal case
and thereafter, on the explanation offered by the petitioner not
having been found to be satisfactory, the same was cancelled
vide order dated 05.09.2020 passed by the Sub Divisional

officer, Mahua/respondent no. 4.

The petitioner grieves that the order of cancellation of P.D.S. license of the petitioner is laconic and does not contain the reasons for rejecting the explanation offered by the petitioner.

The order is absolutely non-speaking and cannot be sustained in the eyes of law. The Licensing Authority was required to state the reasons for rejecting the explanation offered by the petitioner.

The order dated 05.09.2020, therefore, is set aside and the matter is remanded to the Licensing Authority to pass a fresh order, in accordance with law within a period of 60 days from the date of receipt / production of a copy of this order.

Needless to state that the petitioner shall be afforded an opportunity of hearing and the order so passed by the authority shall be a reasoned one.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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