

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4185 of 2022

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Jayee Yadav @ Jay Yadav, aged about 49 years, male, S/o Rajruk Yadav,
Resident of Village - Jadopur, Dukhaharan, P.S. - Jadopur, District -
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Dept.
Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, District - Gopalganj.
3. The District Supply Officer, District - Gopalganj.
4. The Sub-Divisional Officer, Gopalganj, District - Gopalganj.
5. The Block Supply Officer, Gopalganj, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.
For the State : Mr. Upendra Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-06-2022

Heard the learned counsel for the parties.

2. The license of the petitioner has been
cancelled by the licensing authority, which order has been
upheld by the appellate authority.



3. The sole contention of the petitioner is that neither of the orders reflect any application of mind and mechanical orders have been passed by the authorities concerned.

4. A perusal of the order passed by the licensing authority clearly depicts that no reason has been assigned for cancelling the license of the petitioner. The appellate authority, surprisingly, only indicates that the grounds raised by the lawyer for the petitioner is not logical.

5. We have not found any argument on behalf of the petitioner which has been noted down by the licensing authority.

6. Thus, it appears that even the order passed by the appellate authority is mechanical and without any application of mind.

7. We cannot, therefore, sustain the aforesaid two orders and perforce, both the order are quashed.

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



giving reasonable opportunity to the petitioner to explain his case. The licensing authority shall pass a final order within a period of 60 days from the date of receipt/production of a copy of this order.

9. Needless to state that the order so passed by the authority shall be a reasoned one and only after advertng to the reply given by the petitioner against the charge levelled against him.

10. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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