

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4592 of 2022

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Sonelal Sah, Son of Late Choudhary Sah, resident of Village-Rampatti Paktla,
Panchayat-Majhuliya, Block and P.S.-Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Commissioner, Trihut, Muzaffarpur.
3. The District Magistrate, Sitamarhi, District-Sitamarhi.
4. The Sub-Divisional Officer cum Licensing Authority Sitamarhi Sadar, District-Sitamarhi.
5. The District Supply Officer, Sitamarhi.
6. The Block Supply Officer, Block-Dumra, District-Sitamarhi.
7. The Block Supply Officer, Block-Bathnaha, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra
For the Respondent/s : Mr. S. Raza Ahmad (AAG 5)

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

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

4 10-08-2022 Heard learned counsel for the petitioner and the

State.

The licence of the petitioner has been cancelled,

which order has been affirmed in appeal as well as in

revision.

The sole contention of the learned counsel for the

petitioner is that the order cancelling the licence of the



petitioner is absolutely non-speaking.

From perusal of the order passed by the Licensing Authority, we find that the reply to the show cause notice has been discarded by a one line statement that it is not satisfactory. What reasons were given by the petitioner and for what reason those grounds have not been accepted is not known. Though, a detailed order appears to have been passed by the Appellate as well as Revisional Authority but those orders also cannot be sustained in the eyes of law as they cannot redress the defect of the original order which does not speak any reason about cancellation of licence of the petitioner.

For the afore-noted reasons, the orders passed by the Licensing Authority as also Appellate and Revisional Authorities are set aside.

The matter is remitted to Licensing Authority to serve a fresh notice to the petitioner within a period of 30 days from the date of receipt/production of a copy of this order and after eliciting his response on such notice and giving him reasonably sufficient time to present his cause, a



final order shall be passed within the next 60 days, giving reasons in support of the same.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Skm/uttam/-

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