

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4826 of 2020

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Rambriksh Paswan @ Rambriksh Singh, Son of Pairu Singh, Resident of Village- Ekamba, Village- Panchayat- Jhikatiya, Police Station- Kothi, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub- Divisional Officer, Sherghati, Distt. Gaya.
4. The Block Supply Officer, Mohanpur, Distt. Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Respondent/s : Mr. Arvind Ujjwal (SC4)

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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 03-08-2022 Heard Mr. Binay Kumar, learned Advocate for the

petitioner and Mr. Upendra Pratap Singh, for the State.

The license of the petitioner has been cancelled

vide order dated 31.10.2019.

Mr. Kumar, learned Advocate has drawn the

attention of this Court to the fact that except for a bald

statement that the explanation offered by the petitioner is

misleading and not worth accepting, no reason has been

assigned for rejecting the cause of the petitioner.

Though from the perusal of show cause reply, we



do find that such reply was comprehensive. The Licensing Authority was required to record reasons for discarding such reply. For the Licensing Authority not having done that, we find the order to be non-speaking and hence not sustainable in the eyes of law.

For the reasons aforestated, the order impugned is set aside.

The matter is remitted to the Licensing Authority to serve upon the petitioner a fresh notice giving sufficient time to him to respond to such notice and after eliciting the response of the petitioner, an order shall be passed, advertent to the reasons assigned by the petitioner. The final order so passed shall record the reasons in the support of the same.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

skm/ashishkr/-

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