

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4865 of 2020

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Chunnu Kumar, S/o Radhe Shyam Baitha Resident of Village- Kishunpur
Madhuban P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The Sub- Divisional Magistrate, West Muzaffarpur.
3. The Block Supply Officer, Kudhani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi
For the Respondent/s : Mr. Arvind Kumar (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. Kishore Kumar Shahi, learned counsel

for the petitioner and learned counsel for the State.

The license of the petitioner has been cancelled

vide order dated 31.01.2020.

From perusal of the order impugned, it appears

that though notice was served upon the petitioner which was

replied also, but the order does not state the reasons for

discarding such reply and not accepting the same.

The order does not appear to be a speaking order.

We, therefore, find such order to be unsustainable



in the eyes of law. The same is, thus, set aside.

The matter is again remitted to the Licensing Authority to issue a fresh notice to the petitioner within a period of 30 days from the receipt/production of a copy of this order along with the inquiry report and only after giving sufficient opportunity to the petitioner to represent his case, a final order shall be passed within the next 60 days, giving reasons in support of the aforesaid decision.

The order so passed by the Authority shall be made available to the petitioner forthwith.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

skm/ashishkr/-

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