

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5301 of 2022

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Kamlesh Prasad S/o Late Moti Lal Prasad Resident of Village-Bara Guraru,
P.S.-Guraru, P.O.-Guraru, District-Gaya, State-Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate Cum Collector, Gaya.
3. The Sub Divisional Officer, Tekari, Gaya.
4. The District Supply Officer, Gaya.
5. The Assistant District Supply Officer, Sadar Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Ms. Preety Kunwar, Advocate
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to SC-4

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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 : 24-06-2022

Heard Mr. N.K. Agarwal, learned Senior Advocate for
the petitioner and Mr. Upendra Pratap Singh, learned AC to SC-4
for the State.

The present writ petition has been filed against the order
dated 15.11.2021 cancelling the P.D.S. license of the petitioner
bearing No. 26 of 2016 with a further direction to the District
Magistrate/Collector, Gaya to decide and dispose of the Appeal
No. 22 of 2021 pending before him.



Mr. N.K. Agarwal, learned Senior Advocate for the petitioner submits that the entire process of cancelling the license of the petitioner is bad and illegal, because the notice of show cause is not a proposed notice for cancellation of the P.D.S. license.

Learned senior counsel for the petitioner further submits that the petitioner has filed appeal bearing Supply Appeal No. 22 of 2021, which has not yet been disposed of by the appellate authority.

The appellate authority is thus directed to dispose of the appeal positively within a period of sixty days, to be counted from the date of production of a copy of this order.

Needless to state that the petitioner shall be afforded an opportunity of representing his cause and the order so passed shall provide the reasons in support of the same.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.06.2022
Transmission Date	

