

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5336 of 2022

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M/s Mandal Khad Beej Bhandar Kursakanta, District Araria represented through its proprietor, namely, Anil Kumar Mandal, Gender- Male, aged about 33 years, Son of Shri Krishndeo Mandal, Resident of Village Kursakanta, P.S. Kursakanta, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Agriculture Department, Government of Bihar, Patna.
2. The Joint Director, Agriculture, Purnea Division, Purnea.
3. The District Magistrate, Araria.
4. The District Agriculture Officer, Araria.
5. The Assistant Director, Plant Protection cum Project Director, Aatma, District Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Adv.
For the Respondent/s : Mr.Sarvesh Kumar Singh (AAG13)

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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. Kumar Ravish, learned Advocate for the petitioner and learned counsel for the State.

The licence of the petitioner appears to have been cancelled vide order dated 13.12.2021, without even issuing show cause notice to him. The other grievance of the petitioner is that the Licensing Authority himself was the Inspecting Authority on the basis of which the aforesaid order has been passed.

On the face of it, the order does not appear to be sustainable in law and the same is set aside.



The matter is sent to the Licensing Authority for writing out a fresh order in accordance with law, after affording the petitioner the inquiry report and all other documents which would be necessary to him to respond to the charges. The process shall begin on the petitioner furnishing the copy of this order before the Licensing Authority, who shall start the proceeding forthwith.

The petitioner shall be given ample opportunity of representing his cause. A final decision shall be taken within a period of sixty days of the presentation of a copy of this order before the Licensing Authority.

Needless to state that the Licensing Authority shall pass a reasoned order and communicate it to the petitioner.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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

