

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5998 of 2022

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M/S Pramod Khad Bhandar, a Proprietorship Concern having its Place of Business at Gaurakshini, Santoshi Maa Path, Sasaram, -Rohtas-82115 through its Proprietor namely Pramod Kumar Singh male aged about 49 Years Son of Bal Keshwar Singh, Resident of Gaurakshini, Santoshi Maa Path, Sasaram, Rohtas-82115.

... .. Petitioner/s

Versus

1. The State of Bihar through The Secretary, Department of Agriculture, Government of Bihar, Patna.
2. The Director, Department of Agriculture, Government of Bihar, Patna.
3. The Joint Director, Agriculture, Government of Bihar,
4. The District Agriculture Officer, Rohtas, Sasaram.
5. The Block Agriculture Officer, Rohtas, Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal
For the Respondent/s : Mr. Anant Prasad Singh (SC 15)

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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 28-07-2022 Heard Mr. Gautam Kumar Kejriwal, learned Advocate for the petitioner and Mr. Sanjay Kumar, for the State.

The licence of the petitioner has been cancelled on the report of a three-member committee which found that the petitioner has been committing irregularities in the distribution of the fertilizer.

From the order impugned, dated 13.12.2021, it



appears that the petitioner was noticed and was given 24 hours to explain his cause which he did not.

Hence, the order of cancellation of his licence.

A specific statement has been made by Mr. Kejriwal that no notice was ever served upon the petitioner.

He further submits that the findings of the three-member committee is against the records which if he be given an opportunity by the licensing authority, he would demonstrate that the report is not worth reliance.

On the sole ground of the petitioner not having been served with a notice, thereby preventing him from representing his cause, we set aside the order dated 13.12.2021 and remit the matter to the licensing authority, namely, District Agriculture Officer, Rohtas.

On receipt/production of copy of this order, a fresh notice with the charges and also a copy of the report of three-member committee shall be served upon the petitioner within a period of 30 days and after eliciting his response, a final order shall be passed by the authority, giving reasons in support of such decision, within the next sixty days.



We reiterate that we have not directed for any
restoration of license of the petitioner in the meanwhile.

The writ petition stands disposed of, accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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