

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6113 of 2022

Absar Alam, aged about 57 years, male, S/o Khalilur Rahman, Resident of Village- Sontha, Sunder Bari, P.S.- Kochadhaman, District- Kishanganj, Proprietor of M/s Golden Green Store, Sontha Hat, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Director, Agriculture, Bihar, Patna.
2. The Director, Agriculture, Bihar, Patna.
3. The District Agriculture Officer, Kishanganj.
4. The Block Agriculture Officer, Kochadhaman, Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the State : Mr. Anisul Haq, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 04-08-2022

Heard Mr. Dhananjaya Nath Tiwari, the learned Advocate for the petitioner and Mr. Anisul Haq, the learned counsel for the State.

2. Accepting the statement of the learned



counsel for the petitioner that the order passed by the licensing authority is without notice, which fact has not been controverted in the counter affidavit, we set-aside the order of the licensing authority as also of the appellate authority, which has assigned no reason for not giving notice to the petitioner before cancelling his license or affirming the order of cancellation of license respectively.

3. Both the orders are, therefore, set-aside.

4. The matter is remitted to the licensing authority to give a fresh notice to the petitioner within a period of thirty (30) days from the date of receipt/production of a copy of this order and after eliciting his response by giving him reasonably sufficient time, a fresh order shall be passed giving reasons in support of the same. This exercise shall be completed within a period of sixty (60) days from the date of preferring reply to the notice.

5. It is also made clear that the petitioner shall, along with the notice, be afforded a copy of the enquiry report as well.



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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11/08/2022
Transmission Date	N/A

