

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6003 of 2019

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Rupak Kumar S/o Umesh Singh Resident of Ward No.-10, Bhakurahiya, P.S.-
Sairaiyar Gopal, Patahi, District- East Champaran, the Chairman Saraiya
Gopal PACS, Block- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection
Department, Bihar, Patna.
2. The Collector, East Champaran.
3. The Sub-Divisional Officer, Pakridayal, East Champaran.
4. The Block Supply Officer, Patahi, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.
Mr. Kumar Rajdeep, Adv.
For the Respondent/s : Mr. Alok Ranjan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-12-2022

Heard Mr. N.K. Agarwal, the learned senior
Advocate for the petitioner and Mr. Alok Ranjan for the
State.

The license of the petitioner has been



cancelled solely on the ground of the charges against him in the criminal case having been found to be true.

The learned counsel for the petitioner has submitted that a notice was issued prior to the order of cancellation to which he had replied. However, from the order impugned it appears that no ground whatsoever raised by the petitioner was taken into account and the order has been passed only on the basis of the criminal case lodged against the petitioner.

The order is absolutely non-speaking and therefore un-sustainable in the eyes of law.

For the aforementioned reason only, the order is set aside.

The matter is remitted to the Licensing Authority to serve upon the petitioner a fresh notice within a period of 30 days to be counted from the date of receipt / production of a copy of this order, seeking his reply.

On return of the rule, the Licensing Authority



shall pass a final order within next 60 days, adverting to the reply filed by the petitioner and giving reasons in support of his decision.

With the afore-noted observation / direction, the writ petition stands disposed of.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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