

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6181 of 2022

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Anil Kumar Singh

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

5 17-11-2022 A hard copy of the counter-affidavit has been

filed today in the Court across the Board.

Let it be taken on record.

A copy of such affidavit has been handed over to

the counsel for the petitioner also simultaneously.

Heard Mr. Dhananjay Nath Tiwari, the learned

counsel for the appellant and Mr. Alok Ranjan.

The license of the petitioner has been cancelled

by the licensing authority who, according to the learned

counsel for the petitioner, had himself made an inspection

of the shop of the petitioner but had not afforded the copy



of the inspection report to him before passing the order.

The appellate and the revisional authorities have sustained the order of cancellation of license.

The orders impugned in the present petition has been challenged on two counts viz. that in the absence of the inquiry report having been furnished to the petitioner, there could not have been any effective representation on his behalf and that the same authority had inspected the shop and also decided that the petitioner's license deserves to be cancelled.

The afore-noted grounds were not dealt with either by the Appellate or the Revisional Authority.

For the afore-noted reason, we set aside the order impugned; remit it to the licensing authority to give a fresh notice to the petitioner along with a copy of the inquiry report within a period of sixty days from the date of receipt/production of a copy of this order. On eliciting the response of the petitioner on such notice by giving him reasonably sufficient time, a final order shall be passed giving reasons in support of the same within the next sixty



days. which order shall be communicated to the petitioner
forthwith.

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

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Sunilkumar/-
Mathew

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