

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6966 of 2022

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Anand Kumar Chaudhary, male, aged about 31 years, S/o Naresh Prasad Chaudhary, R/o- Nauranga, Gram and P.O.- Nauranga, P.S.- Gaya Mufasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply, Government of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Supply Officer, Gaya.
5. The Sub-Divisional Officer, Sadar, Gaya.
6. The Marketing Officer, Manpur, Gaya.
7. The Block Supply Officer, Manpur, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate
For the State : Mr. Upendra Pratap Singh, Advocate

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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 : 29-07-2022

Heard Mr. Alok Ranjan, the learned Advocate
for the petitioner and Mr. Upendra Pratap Singh, the



learned counsel for the State.

2. The license of the petitioner has been cancelled by the licensing authority *vide* his order dated 25.03.2022. The sole reason for the licensing authority to cancel the license is that the petitioner has not replied to the show-cause notice which was served upon him repeatedly.

3. The learned counsel for the petitioner has drawn the attention of this Court to Annexure-3, which reflects that the show-cause notice served upon the petitioner has been responded to by him on 16.03.2022, which bears the endorsement of the office of the licensing authority.

4. Thus, it has been submitted that there is an error apparent in the record in holding that the petitioner did not reply to the show-cause notice.

5. For the afore-noted reason, we do not feel inclined to sustain the order dated 25.03.2022 and as such, we set-aside the aforesaid order.

6. 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.

7. After eliciting the response of the petitioner for which he shall be given reasonably sufficient time, a final order shall be passed by the licensing authority within a further period of sixty (60) days thereafter, giving reasons in support of the same.

8. 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
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