

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6972 of 2022

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Narendra Sah, aged about 42 years, male, S/o Late Gani Sah, Resident of
Village - Bokane Kalan, Ward No. 6, Panchayat - Bokane Kalan, P.S. - Patahi,
District - East Champaran.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the State : Mr. A.C. to A.A.G.-5

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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 the learned counsel for the parties.

2. The license of the petitioner has been
cancelled but without his response to the charges in the
notice.



3. The learned counsel for the petitioner has submitted that though notice was served upon the petitioner for him to respond but only two days window was given to him to represent his cause, which could not be availed by the petitioner. Thus, it has been urged that the order passed by the licensing authority does not refer to the defence of the petitioner against the charges which have been leveled against him.

4. For the afore-noted reason, we set-aside the order impugned in the present petition and remit the matter to the licensing authority for giving a fresh notice to the petitioner and reasonable time to him to respond to such notice. After eliciting his response over the matter, a reasoned order shall be passed within the next sixty (60) days. No sooner the order would be passed, it shall be made available to the petitioner for him to take recourse to the remedies to which he is entitled.

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



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
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