

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7777 of 2019

=====

Shobhakant Yadav Son of Late Raj Kumar Yadav, resident of village- Belhi,
P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The Divisional Magistrate, Madhubani,
3. The District Magistrate, Madhubani
4. The Sub Divisional Officer, Jaynagar, (Madhubani)
5. The District Supply Officer, Madhubani.
6. The Block Supply Officer, Jainagar,(Madhubani)

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Amarendra Narain Rai
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 26-08-2022 Heard the learned counsel for the parties.

The license of the petitioner has been cancelled, which order has been affirmed by the Appellate Authority.

The learned counsel for the petitioner has submitted that he was issued show-cause notice and was given only 03 days time to respond, which was promptly responded by him even though a small window was



made available to him. Nonetheless, the reply given by the petitioner has not at all been adverted to and a cryptic order has been passed by the Licensing Authority that the grounds raised in defence of the petitioner is not worth acceptance. No reason has been assigned for not accepting the grounds raised on behalf of the petitioner. The appellate order also only re-affirms the order of cancellation without getting into any discussion with respect to the grounds urged on behalf of the petitioner.

For the afore-noted reasons, we find both the orders to be non-speaking.

Both the orders, therefore, are set aside.

The matter is remitted to the Licensing Authority with a direction to issue a fresh notice to the petitioner within a period of thirty days from the date of receipt / production of a copy of this order and after eliciting the response of the petitioner by giving him a reasonable time to present his cause, shall pass a final order within



the next 60 days, giving reasons in support of the same.

With the aforesaid direction / observation, the
petition stands allowed and disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

sunilkumar/-

U			
---	--	--	--

