

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10965 of 2021

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Santosh Kumar S/o Late Shatrughan Singh Resident of Village- Bishunpur,
P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector Jehanabad.
3. The Licensing Authority-cum Sub- Divisional Officer Jehanabad.
4. The Block Supply Officer Ghoshi District- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the State : Mr. Alok Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 18-02-2022 The matter has been heard *via* video conferencing.

The petitioner has sought to challenge the order dated 08.03.2021, passed by the Licensing Authority-cum-Sub Divisional Officer, Jehanabad.

At the outset, the learned counsel for the petitioner has placed reliance upon a judgment rendered by the Hon'ble Division Bench in the case of ***Ram Bachan Ram v. The State of Bihar and Ors.*** reported in ***2018(4) PLJR 516***, to submit that though, a show cause notice was served upon the



petitioner, before passing of the impugned order, however, the same did not indicate about any proposal for cancellation of the license, in terms of Rule 27(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016, hence the impugned order dated 08.03.2021 stands vitiated in the eyes of law.

Ratio of the judgment reported in ***Ram Bachan Ram*** (supra) is not disputed by the learned State Counsel.

In above view of the matter, the impugned order dated 08.03.2021, passed by the Licensing Authority-cum-Sub Divisional Officer, Jehanabad is hereby set aside and the matter is remitted back to the concerned authority for taking appropriate decision, in accordance with law.

The writ petition stands disposed off on the aforementioned terms.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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