

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8413 of 2020

=====

Mahendra Singh Son of Ramchandra Singh Resident of Village- Nisarpura,
P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Patna Sadar, District- Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. Bishambhar Prasad, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 07-07-2022

Heard Mr. Rajeev Kumar Labh, learned Advocate for
the petitioner and Mr. Bishambhar Prasad for the State.

The learned counsel for the petitioner has drawn the
attention of this Court to the order passed by the licensing
authority cancelling his license, which is not at all a speaking
order.

The license of the petitioner has been cancelled by a
one line order that the explanation offered by the petitioner is not
acceptable.

We do not get any idea from the impugned order about
the charge against the petitioner, his reply thereto and how has it
been dealt with by the licensing authority.



It is precisely for this reason the Courts insist for reasons in the order. Not finding any reason in the order, we are not able to sustain the same.

For the reasons aforestated, the order dated 09.05.2020, cancelling the license of the petitioner is set aside.

The matter is remitted to the licensing authority to issue fresh notice to the petitioner within a period of sixty days of the receipt/production of a copy of this order. Thereafter, on the reply of the petitioner, a final decision shall be taken by the licensing authority within the next sixty days. The licensing authority shall provide reasonably sufficient time for the petitioner to explain his cause and shall provide reasons in support of the order.

With the aforesaid directions/observations, this writ petition stands disposed off.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.07.2022
Transmission Date	

