

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8113 of 2022

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Laldeo Singh, son of Kailash Singh, resident of Village- Konchi, Village Panchayat- Konchi, Police Station- Guraru, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar at Patna.
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Tikari, Dist.- Gaya.
4. The Assistant District Supply Officer, Tikari, Dist.- Gaya.
5. The Block Supply Officer, Guraru, Dist.- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Respondent/s : Mr. S. Raza Ahmad (AAG5)

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

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 10-08-2022 Heard learned counsel for petitioner and the State.

Mr. Binay Kumar, learned Advocate for the petitioner has drawn the attention of this Court to the fact that a notice was served upon him on 24.03.2022, which he has replied.

However, not being satisfied by such reply, another inquiry was conducted, whereafter a decision was taken by the Licensing Authority to cancel his licence vide order dated 30.04.2022.



The sole ground urged on behalf of the petitioner is that when his reply was not found to be satisfactory, a further inquiry was made, but the report of the later inquiry was never made available to the petitioner for him to effectively present his cause.

For the afore-noted reason, we set aside the order passed by the Licensing Authority, notwithstanding the fact that there is provision for appeal and revision, as the report of the second inquiry ought to have been made available to the petitioner.

Let a fresh notice with all the charges against the petitioner be served upon him within a period of 30 days from the date of receipt/production of a copy of this order by the Licensing Authority.

The petitioner shall respond to the aforesaid notice in a composite manner within next 30 days. Thereafter, the Licensing Authority shall pass a final order within 60 days from the receipt of the reply of the petitioner. The order so passed shall contain the reasons in support of the same and shall be made available to the petitioner forthwith.



With the aforesaid direction/observation, the writ
petition stands disposed of.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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