

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8932 of 2022

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Musmat Vina Devi W/o Late Chandeshwar Ray Resident of Bisunpur Giddha,
Susta Mushahari, P.S. and Anchal- Kurhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The Sub-Divisional Magistrate, West, Muzaffarpur, P.S. Town, District- Muzaffarpur.
3. The Block Supply Officer, Kurhani, P.S.- Kurhani, Distt- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi, Adv.

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 JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-10-2022

Heard Mr. Shankar Kishore Shahi, learned advocate for
the petitioner and the counsel for the State.

Mr. Shahi, learned advocate for the petitioner has drawn
the attention of this Court to the order dated 20.05.2022 passed by
the Sub-Divisional Officer, Muzaffarpur West/ Licensing Authority
by which the license of the petitioner has been cancelled but,
without giving any reasons.

A perusal of the order, referred to above, indicates that no
reason has been assigned for rejecting the show-cause reply of the
petitioner and passing an order of cancellation of his license.



Times without number, this Court as well as the Apex Court have outlined the necessity of reasons in the order. We do not get any idea as to what was the explanation offered against which charge and why it has not been accepted by the Licensing Authority.

The order depicts complete lack of application of mind and sans any reason.

We cannot sustain such an order.

Accordingly, the order dated 20.05.2022 is set aside. The matter is remitted to the Licensing Authority to pass a fresh order in accordance with law but only after giving reasonable opportunity to the petitioner to explain his cause and giving reasons in support of the decision so taken.

This exercise ought to be completed within a period of 60 days, to be counted from the date of presentation/production of a copy of this order before the Licensing Authority.

The writ petition stands disposed of.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.11.2022
Transmission Date	

