

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14368 of 2021

Vijay Ray S/o- Late Hotilal Ray Resident of Village- Ward No. 07, Rampur
Shamchand, P.S.- Raghapur, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principle Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate Patna.
3. The Sub Divisional Officer Hajipur.
4. The Assistant District Supply Officer Hajipur.
5. The Block Supply Officer Raghapur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Preety Kunwar
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-01-2022

Petitioner has prayed for the following relief(s):

“ For quashing the Order dated 22.07.2021 passed by the
S.D.O. Hajipur, by which P.D.S. License No. 71/2016 of
the petitioner has been cancelled.”

The impugned order dated 22.07.2021, passed by
Respondent No. 3, namely The Sub-divisional Officer, Hajipur,
is a cryptic and non-speaking order and entails civil
consequences as it affects the petitioner’s rights.

In view of the submissions made and the grounds



mentioned in the petition, the impugned order dated 22.07.2021, passed by Respondent No. 3, namely The Sub-divisional Officer, Hajipur, cancelling P.D.S. Licence No. 71 of 2016 of the petitioner, is quashed and set aside, with liberty to the petitioner to approach Respondent No. 3 afresh.

Petition is disposed of in the following terms:

(a) The petitioner shall make himself available before the The Sub-divisional Officer, Hajipur on 10.02.2022 along with a copy of this order;

(b) On the said date, the entire material shall be supplied to the petitioner;

(c) Within two weeks thereafter, petitioner shall file response, complete in all respects;

(d) Petitioner shall fully cooperate and not take any unnecessary adjournment;

(e) The officer shall pass an order assigning reasons within a period of three months thereafter;

(f) While considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

(g) Liberty reserved to the petitioner to challenge the order, should the need so arise subsequently.



The petition is disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

