

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16045 of 2019

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Sulekha Ranjan, W/o Satyapal Kumar Ranjan, Resident of Village-
Rustampur, P.S.- Raghapur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The Sub-Divisional Officer, Hajipur.
4. The Block Development Officer, Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Chaturvedi, Adv.
For the State : Mr. Anisul Haque, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE NAWNEET KUMAR

PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 23-11-2022

Heard the learned counsel for the parties.

2. The license of the petitioner has been
cancelled by order dated 19.06.2019.

3. Mr. Akash Chaturvedi, the learned



Advocate for the petitioner has taken us to the contents of the order impugned and has demonstrated that but for listing the charges against her in the notice and the defense which she had given against those charges, the licensing authority has not applied his independent mind.

4. This is no adjudication.

5. For the reason that the licensing authority himself had made an inspection of the shop and had not even afforded the copy of the inspection report before passing the order of cancellation, we are firmly of the view that the entire process would be speeded-up if the petitioner prefers the statutory appeal with two additional grounds, viz., (i) that there was no independent application of mind by the licensing authority and (ii) that the grounds which were raised by the petitioner against the charges in the notice have not been adverted to.

6. Should such an appeal be filed within a period of thirty (30) days, the appellate authority shall



look into the entire aspect of the matter including two grounds raised by the petitioner here in this petition and shall decide the appeal with a reasoned order within a period of sixty (60) days thereafter.

7. Needless to state that the petitioner shall be afforded reasonable opportunity to present his cause.

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

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Praveen-
II/Anuradha

AFR/NAFR	NAFR
CAV DATE	N/A
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