

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21354 of 2021

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Madhuri Devi W/o Braj Kishore Singh Resident of Village- Vishanpur, Gram
Panchayat Paharpur, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Food and Consumer Protection
Department, Bihar, Patna.
2. The Collector Vaishali at Hajipur.
3. The Sub- Divisional Officer Mahnar, Vaishali.
4. The Block Supply Officer Mahnar, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr. Anisur Haque, AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 22-02-2022

Heard Mr. Dhananjaya Nath Tiwari, learned

Advocate for the petitioner and Mr. Anisur Haque for the

State.

The licence of the petitioner was initially

suspended and shortly thereafter FIR was registered

against her. However, the petitioner was noticed and

subsequent to her responding to the aforesaid notice, the

order of cancellation of her licence has been passed.



Mr. Tiwari submits that if an action was taken under Rule 27 of the Control Order of 2016, there was no necessity of suspending the licence of the petitioner without registration of the FIR. He further submits that no doubt the show-cause notice was served upon her to which she had replied but the grounds taken by her in her reply has not been adverted to while passing the order of cancellation.

We are of the considered view that these grounds could be taken by the petitioner in appeal before the District Magistrate of the concerned district.

Should the petitioner prefer an appeal against the aforesaid order within a period of thirty days from today, it shall be taken up for determination and after giving reasonable opportunity to the petitioner, a final, informed order shall be passed by the appellate authority, which shall be communicated to the petitioner. This shall be done within a period of sixty days from the date of preferring the appeal by the petitioner.



The petition stands disposed of accordingly.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.02.2022
Transmission Date	

