

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20416 of 2018

Ravindra Singh S/o Mahavir Singh, Resident of Village-Rauda Vishunpur,
P.O.-Tineri Barorah, P.S.-Guraru, District-gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Food & Consumer Protection Government of Bihar, Patna
2. The Collector, Gaya.
3. The Sub Divisional Officer, Tekari, Gaya.
4. The Additional District Supply Officer, Tekari, Gaya.
5. The Block Supply Officer, Tekari, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suresh Kumar Ishwar, Advocate
		Mr. Dhananjaya Nath Tiwari, Advocate
For the State	:	Mr. Anisul Haque, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and

HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 13-12-2022

Heard Mr. Suresh Kumar Ishwar, learned
Advocate for the petitioner and Mr. Anisul Haque for the
State.

The petitioner's licence has been cancelled by
order dated 28.08.2018.

The learned counsel for the petitioner has
submitted that the licensing authority did not take into
account the objection of the petitioner that only part
enquiry report was furnished to him. This, it has been
argued, made it well-nigh difficult for him to respond to



the notice in a composite manner. On this ground alone, the petitioner urges that the order be set-aside and the case be remanded to the licensing authority to pass a fresh order after serving the entire copy of the enquiry report to him. It has further been submitted that under similar circumstances, a learned Single Judge of this Court has remitted the matter to the licensing authority with a direction to furnish to the licensee, a complete copy of the enquiry report.

On perusal of the order impugned, we find that no good ground has been made out by the learned counsel for the petitioner for remand of the matter to the licensing authority again.

In case, the complete enquiry report was not made available to the petitioner, this could be taken as a ground for him in appeal which is provided under the Bihar Targeted Public Distribution System (Control) Order, 2016, whose forum has been provided under the Control Order of 2016.



The prayer of the petitioner for this reason alone is rejected.

The writ petition is dismissed, but with an observation that if an appeal is preferred against the order of cancellation of licence within a period of 30 days, the appellate authority shall take up the appeal, shall take into account all the grounds raised by the petitioner in such appeal, and after giving him reasonable opportunity of presenting his cause, the appellate authority shall pass a reasoned order within a further period of 60 days, a copy of which order shall be made available to the petitioner forthwith.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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