

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23666 of 2019

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Ramshankar Singh @ Ramashankar Singh, Son of Virendra Prasad Singh,
Resident of Uttarwritola, P.S. and District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Vaishali, District-Vaishali.
3. The Sub-Divisional Officer, Hajipur, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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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 : 28-09-2022

Heard Mr. Rajeev Kumar Labh, learned counsel

for the petitioner and Mr. Alok Ranjan for the State.

Mr. Labh, learned counsel for the petitioner while challenging the order cancelling the license of the petitioner has pointed out from the show cause notice served upon him that an inquiry was initiated on the basis of an inspection of his shop on 12.09.2019, in which many deficiencies were found. In the show cause notice, the



petitioner was given time till 03:00 O' Clock of 14.09.2019
i.e. two days after the inspection, to furnish his reply.

Despite such a short time having been given to the petitioner, he replied and represented his cause but on 14.09.2019 only, the order of cancellation of license has been passed which has been challenged in the present writ petition.

From the perusal of the order impugned cancelling the license of the petitioner, though it appears that the explanation offered by the petitioner was taken into account but considering the undue haste of the licensing authority in passing an order on the same day, we are of the view that the matter be sent to the licensing authority, for a re-look.

The order cancelling the license of the petitioner is thus set aside.

The licensing authority is directed to issue a fresh show cause notice to the petitioner within a period of thirty days from the date of receipt/production of a copy of this



order giving the petitioner reasonable time to represent his cause. After the explanation of the petitioner is received, a final order shall be passed by the licensing authority within a period of sixty days thereafter giving reasons in support of the same. The order so passed by the licensing authority shall be made available to the petitioner forthwith.

With the afore-noted direction/observation, the writ petition stands allowed and disposed of.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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