

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.302 of 2020

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Ajay Kumar Singh s/o Late Kameshwar Snigh, R/O- village- Mahuli, OP.s.-
Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Food and civil Supply Government of Bihar, Patna.
2. The Principal Secretary Food and civil Supply, Bihar, Patna.
3. The District Magistrate, Saran at Chapra.
4. The Sub-divisional officer, Madhaura, Saran.
5. The Assistant Supply officer, Madhaura, Saran.
6. The Block Supply officer, isuapur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 02-11-2022 Heard learned counsel for the parties.

The license of the petitioner has been cancelled,
which order has been sustained by the Appellate Authority.

Mr. Alok Ranjan, the learned Advocate for the
petitioner submits that pursuant to the show cause notice
served upon him, he had replied but only after the
time-frame provided by the Licensing Authority for the
same in the notice.



Precisely for this reason, his defence/explanation could not be taken into account and the order of cancellation has been passed.

The petitioner is sanguine that if his grounds are considered, the authorities might re-consider their decision.

We find that the petitioner has given his explanation against the charges which has been levelled against him, which should be taken into account before coming to a final conclusion whether the petitioner deserves to be retained as a licensee under the scheme.

For this reason alone, we intend to and set aside the orders passed by the Licensing Authority as also the Appellate Authority and remit the case back to the Licensing Authority to accept the reply offered by the petitioner and thereafter take a decision by writing a fresh order in accordance with law.

The entire exercise be completed within a period of 60 days from the date of production of a copy of this order along with the explanation of the petitioner against



the charges leveled against him.

The order so passed shall contain reasons and shall be made available to the petitioner forthwith.

With the afore-noted observation/direction, the petition stands dispose of.

(Ashutosh Kumar, J)

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(Nawneet Kumar Pandey, J)

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