

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13229 of 2018

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Anita Kumari W/o Priya Ranjan Rashmi, Resident of Mohalla Ward No. 12,
P.S. Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food & Consumer Protection Department, Old Secretariat, Patna.
2. The SDO, Patna City.
3. The Block Supply Officer, Fatuha, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Vijay Anand, Adv.
For the Respondent/s	:	Mr. Upendra Pratap Singh- AC to SC4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 30-01-2023

Heard Mr. N. K. Agarwal, the learned Senior Advocate for the petitioner and Mr. Upendra Pratap Singh for the State.

Mr. Agarwal has drawn our attention to the order cancelling the license of the petitioner which does not state any reason for rejecting the reply of the petitioner.

It appears that a show-cause notice was issued to the petitioner on five counts to which the petitioner had replied.

However, the order of cancellation has been passed on the general principle that in case there is any breach of the terms



of the licence, it should not be allowed to be continued and after cancellation of licence, the targeted beneficiaries be attached to the neighbouring PDS dealer.

The order cannot at all be sustained in the eyes of law for it is non-speaking.

For the reason aforestated, we set aside the order and remit it to the Licensing Authority for passing a fresh order in accordance with law giving reasons in support of the conclusions arrived at.

The exercise shall be completed within a period of sixty days of the receipt/production of a copy of this order.

The petition stands allowed and disposed of accordingly.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.01.2023
Transmission Date	

