

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8516 of 2019

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Raj Kumar Paswan Son of Late Ram Deo Paswan R/o Village-Khagaur, P.S.
Lakhisarai, District-Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary Food and Supply, Government of Bihar, Patna
3. The Divisional Commissioner Munger Division, Munger
4. The District Magistrate Lakhisarai
5. The Sub Divisional Officer Lakhisarai
6. The Block Supply Officer Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC 4

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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 : 02-01-2023

Heard Mr. Jyoti Ranjan Jha, learned Advocate for the
petitioner and Mr. Upendra Pratap Singh for the State.

The license of the petitioner was cancelled, which
order was affirmed by the appellate authority. However, the
order by the revisional authority did not find favour with the
Bench hearing the matter in CWJC No. 4098 of 2015. By order
dated 25.04.2017, the matter was remitted to the revisional
authority for writing out a fresh order in accordance with law
after giving reasons.



We find that after the aforesaid order of the High Court, the revisional authority again decided the issue but without recording any reason whatsoever, affirmed the order of cancellation of license by the licensing authority as also the appellate authority.

We also find from the order impugned that for some reason or the other, the petitioner did not respond to the show-cause notice and thus the charges against him remained un-rebutted.

Considering that the petitioner ought to get a chance to explain his cause, we set aside the order passed in revision dated 30.11.2018 and remit the matter now to the licensing authority to afford to the petitioner an opportunity of explaining his cause against the same notice which was served upon him in the first instance for which he would be given reasonable time of thirty days, to be counted from the date of receipt/production of a copy of this order. After receiving the reply of the petitioner against the show-cause notice issued to him earlier, a final order shall be passed by the licensing authority giving reasons in support of his decision.



With the aforementioned directions/observations, the writ
petition stands disposed of.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

krishna/kundan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

