

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10327 of 2022

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Rajendra Gami son of Pulkit Gami, resident of Village Sukki, Ward No. 05,
Post-Sukki, P.S.-Khajauli, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Madhubani.
4. The Sub-Divisional Officer, Sadar Madhubani.
5. The District Supply Officer, Madhubani.
6. The Block Supply Officer, Madhubani.
7. Dilip Kumar Gami, son of Late Utim Lal Gami, resident of Village-Sukki, Ward No. 05, Post-Sukki, P.S.-Khajauli, District-Madhubani, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinay Rai, Advocate Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Ravi Prakash, Advocate
For the Respondent/s	:	Mr. S.Raza Ahmad (AAG-5) Mr. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER]

3 18-05-2023 In the instant petition, petitioner has prayed for the
following relief(s):-

“1. That this is an application for issuance of an appropriate writ (s), order(s), direction (s) for quashing the order dated 18.04.2022 passed in supply Appeal no. 110/2021-2022 by the learned court of collector Madhubani whereby and where under he was pleased to dismissed the abovesaid appeal of petitioner affirming the order bearing memo no. 1309 dated 03.09.2021 by which the license no. 16/17 of P.D.S. shop of petitioner has been cancelled and after quashing the abovesaid order dated 18.04.2022 and 03.09.2021 respondents be directed to restore the license of P.D.S. shop of petitioner and to grant any other relief(s) for which petitioner may found entitle in accordance with law.”



2. The petitioner's license was stated to have been cancelled on 03.09.2021. Feeling aggrieved and dissatisfied with the cancellation of license, he had preferred appeal before the Appellate Authority *vide* Appeal No. 110/2021-2022 before the Collector, Madhubani and it was rejected on 18.04.2022. Even though, petitioner has a remedy of revision under Rule 32(6) of Bihar Targeted Public Distribution System (Control) Order, 2016.

3. Having regard to the fact that notice is not specific insofar as cancellation of license. Therefore, the present writ petition is entertained on the sole ground that there is a violation of principles of natural justice.

4. Accordingly, petitioner has made out a case so as to interfere with the order dated 03.09.2021 and 18.04.2022 passed by the Sub-Divisional Officer and District Collector, are set aside. Sub-Divisional Officer is hereby directed to take fresh steps after providing a detailed and specific notice relating to cancellation of license. On receipt of petitioner's reply proceed to pass order in accordance with law within a period of three months.

5. With the above observations, present writ petition stands allowed.

(P. B. Bajanthri, J)

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