

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10495 of 2022

Arjun Saw S/o Moti Saw, R/o Mohalla- Chand Chaura, P.S.- Gaya, District-Gaya.

... .. 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, Government of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Supply Officer, Gaya.
5. The Sub- Divisional Officer, Sadar Gaya.
6. The Marketing Officer, Gaya City, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Adv.

For the Respondent/s : Mr. Arvind Ujjwal, SC-4

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 24-01-2023

Heard the learned counsel for the parties.

Mr. Alok Ranjan, learned Advocate for the petitioner draws our attention to the order of the Licensing Authority whereby his license has been cancelled and has tried to demonstrate that no reason has been assigned for rejecting the grounds raised by the petitioner in defence of the charge laid against him.

Though, in the appellate order, some reasons have been assigned but, as it has been held in several cases, an



order passed in appeal will not reconstitute or correct the original order.

We are not inclined to sustain either the order cancelling the license of the petitioner or the appellate order affirming the same.

Both the orders are therefore set aside for the reason noted above.

The matter is referred to the Licensing Authority to pass a fresh order in accordance with law within a period of sixty days to be counted from the date of receipt/production of a copy of this order.

Needless to state that the Licensing Authority shall record reasons for his conclusions.

Petition stands allowed accordingly.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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