

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14090 of 2019

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Jai Parkash Sah Son of Ramdin Sah Resident of Chetu Teli Lane Aliganj,
Police Station- Babarganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The S.D.O. Sadar, Bhagalpur.
5. The District Supply Officer, Bhagalpur.
6. The Marketing Officer, Ward No.26 to 51, Bhagalpur Municipal Corporation, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Md. Najmul Hodda, Advocate
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG 5

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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. N.K. Agarwal, learned Senior Advocate

for the petitioner and Mr. Alok Ranjan for the State.

The license of the petitioner was suspended pursuant to his having become an accused in a criminal case involving breach of E.C. Act, 1955. The petitioner claims that he has never been noticed and no final order has been passed.



On the contrary, learned counsel for the State has pointed out that show-cause notice was drawn up but could not be served upon the petitioner for his having gone fugitive as he had not been enlarged on bail.

The admitted position is that the petitioner has not been served with a show-cause notice for a final order to be passed by the licensing authority.

Let the petitioner be served with the aforesaid notice within a period of fifteen days.

The petitioner shall not refuse to accept the notice and should he do so, this order shall not be given effect to. After the receipt of the show-cause notice by the petitioner, he shall reply to the charges in the notice within a period of thirty days, to be counted from the date of receipt of such notice.

The licensing authority shall, after advertent to the reply, pass a final order giving reasons in support of the decision so arrived at within a period of sixty days.



With the aforenoted direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

krishna/kundan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.01.2023
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