

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13072 of 2022

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Md. Masroor Alam Son of Md. Manzoor Alam, Resident of Village- Sukhara
Dehri, P.O.- Thakurai, Parsia, P.S.- Nasriganj, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Affairs,
Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram, District- Rohtas.
3. The Sub Divisional Officer, Bikramganj, District- Rohtas at Sasaram.
4. The District Supply Officer, Rohtas at Sasaram,
5. The Assistant District Supply Officer, Vikramganj, District- Rohtas at
Sasaram
6. The Supply Inspector, Nasriganj, District- Rohtas at Sasaram,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda, Adv.
For the Respondent/s : Mr. Vijay Kumar Sinha, Adv.

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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 : 24-01-2023

Heard Mr. Zeyaul Hoda, learned advocate for the

petitioner and Mr. Vijay Kumar Sinha for the State.

The license of the petitioner has been cancelled

by the Licensing Authority on the ground that it was

wrongly granted to him in the first instance and that all the

necessary facts were not taken into consideration while



granting licence. However, such an order was passed without giving any notice to the petitioner.

The petitioner had been discharging his duties as a PDS dealer, to the satisfaction of all.

For the reason that no notice was served upon the petitioner before any decision was taken, we are of the view that he ought to be given one opportunity to explain his cause as to why his license is not required to be terminated.

For the aforementioned reason, we set aside the order contained in Memo No. 262 dated 27.05.2022 and remit the matter to the Licensing Authority who shall issue a fresh notice to the petitioner within a period of fifteen days from the date of receipt/production of a copy of this order, giving reasonable time to him to respond to such notice.

The petitioner shall respond to such notice within 30 days of his receipt of the same and only after adverting to the reply and all other necessary facts, the Licensing



Authority shall pass a final order within a further period of 60 days thereafter.

We need not remind the Licensing Authority that he is required to pass a reasoned order and the order so passed shall be made available to the petitioner forthwith.

With the aforementioned observation/direction, the writ 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	30.01.2023
Transmission Date	

