

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14112 of 2022

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Pawan Kumar son of Shivaji Prasad, Resident of Village-Juaffar, P.S.-
Chhauradano, District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, District-East Champaran, Motihari.
3. The District Supply Officer, Motihari, District-East Champaran, Motihari.
4. The Sub-Divisional Officer, Raxaul, District-East Champaran, Motihari.
5. The Block Supply Officer, Chhauradano, District-East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate

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

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 : 20-01-2023

Heard Mr. Vikash Kumar Pankaj, learned Advocate for
the petitioner and Mr. Upendra Pratap Singh for the State.

The license of the petitioner has been cancelled, which
order has been affirmed by the Appellate Authority.

The sole contention of the petitioner is that from a bare
perusal of the order passed by the Licensing Authority, it would
appear that the conclusions of the Licensing Authority is based
solely on the report of the Block Supply Officer.



We find that there is no statement in the order indicating that the reply filed by the petitioner was adverted to. Thus, we do not also find any reason given by the Licensing Authority to reject such grounds raised by the petitioner in his defence.

So is the position with the appellate order.

We are, therefore, not persuaded to sustain the aforesaid orders and per force we set them aside.

The matter is remitted to the Licensing Authority to write out a fresh order in accordance with law giving reasons in support of the conclusions within a period of sixty days from the date of receipt/production of a copy of this order.

With the afore-noted direction/observation, the petition is allowed and disposed of.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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