

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16064 of 2019

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Jitendra Kumar Paswan Son of Ram Pukar Paswan Resident of Village-Bagha, P.S.-Lohiya Nagar (O.P.), District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna
2. The Collector Begusarai, District-Begusarai
3. The Licensing Authority-cum-Sub-Divisional Officer Begusarai, District-Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. Alok Ranja, 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. Rajeev Kumar Labh, learned Advocate for
the petitioner and Mr. Alok Ranjan for the State.

The grievance of the petitioner that his license has finally been cancelled without advertting to his reply does not appear to be correct. The petitioner was made accused in a criminal case with the accusation of selling kerosene oil in black market. The explanation offered by the petitioner is that one of the containers of the kerosene oil was leaking and therefore the contents of such container were kept in smaller containers.



This explanation of the petitioner was not found to be satisfactory by the licensing authority resulting in cancellation of his license.

The petitioner has a remedy of appeal.

Since no appeal has been preferred by the petitioner against the aforesaid order of cancellation, we are not inclined to entertain this petition.

The petition stands dismissed but with an observation that in case an appeal is filed within a period of thirty days, the appellate authority shall take up the matter and after giving reasonably sufficient time to the petitioner to represent his cause, shall pass a final order within the next sixty days with reasons in support of such order. The order so passed shall be made available to the petitioner forthwith.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

krishna/kundan

AFR/NAFR	NAFR
CAV DATE	NA
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