

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3212 of 2023

In
Civil Writ Jurisdiction Case No.8454 of 2023

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Keshaw Prasad Verma, Son of Satyanarayan Prasad, Resident of Ward No. 07,
Bibi Bankatwa, P.S- Mainatand, West Champaran, Bankatwa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The Divisional Commissioner, Muzaffarpur.
3. The District Magistrate Bagaha, West Champaran.
4. The Sub Divisional Officer, Bagaha, West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Adv.
Mr. Manini Jaiswal, Advocate
For the Opposite Party/s : Mr. Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 01-04-2024 The present MJC has been filed for modification of
the order dated 18.10.2023 passed in CWJC No. 8454 of 2023.

2. Learned counsel appearing on behalf of the petitioner has stated that paragraph 9 of the order dated 18.10.2023 has wrongly been typed as *“Having regard to the above facts and circumstances and the law laid down by this Hon’ble Court, the present CWJC is allowed. The impugned orders dated 10.04.2023 passed by the Divisional Commissioner and order dated 02.03.2022 in CRM No. 532 of 2020-21 passed by the Appellate Authority are set aside. The matter is remanded back to the Divisional Commissioner,*



Muzaffarpur (Respondent No. 2) for furnishing a copy of the enquiry report and the any other material relied by the authorities on the petitioner and call for his explanation by giving reasonable time.” in stead of the correct finding “Having regard to the above facts and circumstances and the law laid down by this Hon’ble Court, the present CWJC is allowed. The impugned orders dated 10.04.2023 passed by the Divisional Commissioner, the order dated 02.03.2022 in CRM No. 532 of 2020-21 passed by the Appellate Authority and the order dated 11.02.2020 passed by the Sub-Divisional Officer, Bagaha, West Champaran are set aside. The matter is remanded back to the Sub-Divisional Officer, Bagaha, West Champaran (Respondent No. 4) for furnishing a copy of the enquiry report and any other material relied by the authorities on the petitioner and call for his explanation by giving reasonable time”.

3. As such, in paragraph 9 of the order dated 18.10.2023 passed in CWJC No. 8454 is modified and the same be read as follows:-

“Having regard to the above facts and circumstances and the law laid down by this Hon’ble Court, the present CWJC is allowed. The impugned orders dated 10.04.2023 passed by the Divisional



Commissioner, the order dated 02.03.2022 in CRM No. 532 of 2020-21 passed by the Appellate Authority and the order dated 11.02.2020 passed by the Sub-Divisional Officer, Bagaha, West Champaran are set aside. The matter is remanded back to the Sub-Divisional Officer, Bagaha, West Champaran (Respondent No. 4) for furnishing a copy of the enquiry report and any other material relied by the authorities on the petitioner and call for his explanation by giving reasonable time”.

4. Accordingly, the present MJC is allowed.

(A. Abhishek Reddy , J)

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