

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18083 of 2023

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Kaushal Kumar Giri @ Kaushal Kumar, Son of Late Harish Chandra Giri,
Resident of Village- Mathiyapur, P.S.- Sahpur, District- Patna-801503,
presently residing at 301, Pushpa Mansion, Vivekananda Park Road, Near
Alpana Market, Patliputra Patna, Bihar-800013.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, I.G. Registration, Prohibition, Excise and Registration Department, Govt. of Bihar (Registration).
2. The I.G. Registration, Prohibition, Excise and Registration Department, Govt. of Bihar (Registration).
3. The Assistant I.G. Registration, Prohibition, Excise and Registration Department, Govt. of Bihar (Registration).
4. The Collector-cum-District Magistrate, Rohtas (Sasaram), Bihar.
5. The District Sub- Registrar, Rohtas (Sasaram), Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv Mr. Devashish Giri
For the Respondent/s	:	Mr.Standing Counsel (11)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 29-01-2024 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the order dated 19.09.2023 passed by the District Magistrate, Rohtas at Sasaram.

3. In reply of Para 18 of the writ petition, learned counsel for the State has submitted that a general notice was given and no personal notice has been served upon the petitioner.

4. It is an admitted fact that the impugned order has



been passed without hearing the petitioner. Though the learned counsel for the State has tried to say that petitioner was issued notice and a general notice was thereafter published in the newspaper but the learned counsel for the State has failed to annex the so called newspaper in which the general notice was published.

5. Considering the aforesaid facts and also in the interest of justice, this application is allowed and the matter is remitted back to the District Magistrate, Rohtas who will issue notice to the petitioner and after proper and valid service of the same he will decide the matter afresh considering the facts of the case in accordance with law after hearing the petitioner.

6. With the aforesaid directions, this application is allowed.

(Sandeep Kumar, J)

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