

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8186 of 2025**

=====

Amir Hamza Quaddusi S/o Khalilur Rahman, Resident of Village-Sama,  
Panchayat-Daula, Block-Kishanganj, P.S. and District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector cum District Magistrate, Kishanganj.
3. The Sub-Divisional Officer, Kishanganj.
4. The Block Supply Officer, Pothia, District-Kishanganj.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.  
For the Respondent/s : Mr. Government Pleader (24)

=====

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

4      09-10-2025                      This Court *vide* earlier order passed in C.W.J.C. No. 2486 of 2024 dated 27.09.2024 in the order of the Sub Divisional Officer, Kishanganj whereby the PDS license of the petitioner has been cancelled. This Court while remanding the matter back to the authority had directed the authority to issue a fresh notice strictly in compliance of Rule 27(ii) of the Bihar Targeted PDS (Control) Order, 2016 and also pass a reasoned order. However, the authority has issued the notice dated 03.12.2024 bearing Memo No. 745 (Annexure- P/2) wherein it is observed that the proposal for cancellation of the license is not there. Though the petitioner has submitted his explanation, the authority while passing the impugned order dated



08.04.2025 (Annexure- P/4) has simply stated that even though the petitioner has submitted his explanation, no new facts have been brought forward and therefore, the earlier order of rejection stands revived. Once the order of cancellation passed by the Sub Divisional Officer has already been set aside by this Court, the question of reviving the same does not arise. Further, it is to be seen that the order is bereft of any reasons and there is absolutely no advertence to the explanation filed by the petitioner.

2. This Court in CWJC No. 253 of 2014 dated 11.03.2015 has held that the non-supply of the inquiry report is also bad and the same should be enclosed along with the show cause notice. Further, a larger bench of this Court in C.W.J.C. No. 21202 of 2021 has held that the notice has to adhere to Rule 27 (ii) of the Control Order, 2016 but in this case there is no proposal of cancellation.

3. Having regard to the above, the impugned order passed by the Sub Divisional Officer dated 08.04.2025 is set aside and the matter is remanded back to the authority concerned for issuing a fresh notice to the petitioner strictly in compliance with the Rule 27 (ii) of the Control Order, 2016. The authority shall also furnish the copy of the enquiry report, if any,



on the petitioner along with the show cause notice. The authority shall grant ample opportunity to the petitioner to submit his explanation. Thereafter, the authority shall pass a reasoned order giving the reasons either for accepting the explanation or rejecting the same. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of the copy of this order. It is needless to mention that before passing any order, the petitioner shall be given an opportunity of hearing. Any orders passed shall be communicated to the party.

4. With the above directions, the present writ petition stands disposed of.

**(A. Abhishek Reddy, J)**

Gauravkr/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

