
(2020) 02 PAT CK 0308

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 1755 Of 2020

Om Prakash Choudhary @ Chaudhary

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 24-02-2020

Acts Referred:

Citation : (2020) 02 PAT CK 0308

Hon'ble Judges : Ashutosh Kumar, J

Bench : Single Bench

Advocate : Dhananjaya Nath Tiwari, S.Raza Ahmad

Final Decision : Allowed

Judgement

1. The order dated 09.12.2019 passed by the Sub-Divisional Officer, Samastipur, is under challenge in the present petition, whereby the licence of the petitioner has been cancelled.
2. The aforesaid order dated 09.12.2019 is too cryptic for this Court to sustain the same. No notice also appears to have been sent to the petitioner for explaining his cause. The order impugned also does not refer to any reason why such a decision has been taken.
3. Except for regretting the manner in which the order has been passed and therefore setting it aside, there is no other option for this Court.
4. The impugned order dated 09.12.2019 is therefore set-aside.
5. The matter is remitted to the Sub-Divisional Officer, Samastipur (respondent No. 3) for writing out a fresh order in accordance with law after providing a reasonable opportunity to the petitioner to explain his cause. It is needless to state that without a proper show-cause notice intimating the charges to the petitioner, no such order can be and ought to be passed.
6. The entire exercise must be completed within a period of ninety days from the

date of receipt/production of a copy of this order.

7. The writ petition stands allowed and disposed off in terms of what has been stated above.