

Anil Kumar Vs. State of Bihar and ors.

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Court : Jharkhand

Decided On : Aug-01-2006

Reported in : [2006(4)JCR284(Jhr)]

Judge : Amareshwar Sahay, J.

Acts : Bihar Trade Articles (Licenses Unification) Orders, 1984

Appeal No. : CWJC No. 3825 of 1999(R)

Appellant : Anil Kumar

Respondent : State of Bihar and ors.

Advocate for Def. : Rita Kumari, J.C. to S.C.-I

Advocate for Pet/Ap. : None

Disposition : Appeal dismissed

Judgement :

Amareshwar Sahay, J.

1. Nobody appears on behalf of the petitioner, However, this writ application is being disposed of on the basis of the materials on record.

2. In this writ application, the petitioner has prayed for quashing of the order dated 2.8.1999 passed by the Commissioner, North Chotanagpur Division, Hazaribagh as contained in Annexure-5 whereby, the appeal preferred by the petitioner against the order dated 7.12.1998 passed by the Deputy Commissioner, Hazaribagh cancelling the Trade License of the petitioner under Clause 11 of the Bihar Trade Articles (Licenses Unification) Orders, 1984.

3. From perusal of the order passed by the Deputy Commissioner cancelling the trade licences of the petitioner (Annexure-4), it appears that the business premises of M/s. Satyam Enterprises situated at Barhi in the district of Hazaribagh was inspected and it was found that the business was being run by a person who was other than the licensee and at the time of inspection, no Stock Register, Cash Memo etc. were produced by the petitioner. It further appeared that in the shop, no Stock Register etc. were maintained. In violation of the condition of license, cash memo were not being given to the customers. Further that in spite of issuance of show-cause notice, the petitioner did not reply to it. Therefore, by Annexure-4, the Deputy Commissioner, Hazaribagh cancelled the Trade Licence of the petitioner on the basis of the material on record.

4. An appeal was filed by the petitioner before the Commissioner, North Chotanagpur Division, Hazaribagh who, by order dated 2.8.1999, as contained in An-nexure-5, dismissed the appeal of the petitioner.

5. After going through the orders passed by the Deputy Commissioner, Hazaribagh as well as the Commissioner, North Chotanagpur Division, Hazaribagh, I find that they have rightly rejected the plea of the petitioner after discussing the relevant facts and law. The allegations against the petitioner were also serious in nature.

6. I do not find any illegality in the said orders. Accordingly, this writ application is dismissed.

No costs.