

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.104 of 2015

In

Civil Writ Jurisdiction Case No. 7770 of 2014

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M/s Satyam Rice Mill, Office & Mill At Village- Khaira, P.O. Khaira Khujji, P.S. Bahadurpur, District Darbhanga through its partner Sailesh Kumar S/o Sri Anil Kumar Sinha R/o Village Khaira, P.O. Khaira Khujji, P.S. Bahadurpur, District Darbhanga.

.... Petitioner- Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
2. The District Collector, Darbhanga.
3. The Sub Divisional Officer, Darbhanga.
4. Bihar State Foods and Civil Supplies Corporation Limited through its Managing Director, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Darbhanga.
6. The Certificate Officer, Darbhanga.

.... Respondents- Respondent/s

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With

Letters Patent Appeal No.159 of 2015

IN

Civil Writ Jurisdiction Case No. 8994 of 2014

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M/s Durga Agronomy Private Limited, At- Plot No.- C-4, Industrial Area, Donar, P.S.- Sadar Darbhanga, District- Darbhanga through its Managing Director Raj Kumar Mahaseth, S/o- Late Raghunandan Mahaseth, R/o- Mohalla & P.O. Kabirchak, P.S.- Sadar, District- Darbhanga

.... Petitioner- Appellant/s

Versus

1. The State of Bihar, through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
2. The District Collector, Darbhanga.
3. The Sub-Divisional Officer, Darbhanga.
4. Bihar State Food and Civil Supplies Corporation Limited, through its Managing Director, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supply Corporation Limited, Darbhanga.
6. The District Supply Officer, Darbhanga.
7. The Certificate Officer, Darbhanga.

.... Respondents- Respondent/s

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With

Letters Patent Appeal No.1122 of 2015

IN

Civil Writ Jurisdiction Case No. 8652 of 2014

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M/s Ganesh Food Processing Office & Mill At Plot No. C-4, Industrial Area, Donar, P.S. - Sadar Darbhanga, District - Darbhanga through its

partner Sacheen Kumar, S/o Sri Ram Sharan Singh, At Plot No. C04,
Industrial Area, Donar, P.S - Sadar Darbhanga, District - Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar, through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
2. The District Collector, District - Darbhanga.
3. The Sub- Divisional Officer, Darbhanga, District - Darbhanga.
4. Bihar State Foods and Civil Supplies Corporation Limited, Through its Managing Director, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Darbhanga.
6. The Certificate Officer, Darbhanga.

.... Respondents- Respondent/s

Appearance :

For the Appellant/s : Mr. Y. V. Giri, Senior Advocate
Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Anjani Kumar, Senior Advocate
Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 14-07-2015 Mr. Y. V. Giri, learned senior counsel for the appellants and Sri Anjani Kumar, learned senior counsel for the respondent-Bihar State Food and Civil Supplies Corporation Limited, (for short, 'the Corporation') submit that the subject matter of these appeals is covered by the common order dated 17.04.2015 passed by a Division Bench of this Court in Letters Patent Appeal No.1709 of 2014 and batch.

Hence, these appeals are disposed of directing that:

(A) The order passed by the learned single Judge in all the writ petitions is upheld;

(B) Wherever the appellant offers to pay the balance of the amount covered by the certificate proceedings, the Corporation shall receive the same, if paid within two months from today;

(C) The respective appellants shall be entitled to sell the rice, if any, with them and for that purpose if any permission is needed from the Government or the Corporation, the same shall be accorded, subject to an undertaking given to the effect that they shall have the first charge over the sale proceeds;

(D) Criminal proceedings, if any, pending against them shall stand abated, on payment of the entire amount.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs

(L. Narasimha Reddy, CJ)

(Anjana Mishra, J)

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