

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17494 of 2015

Chandan Rai, Son of Devendra Rai, Proprietor of M/S GIta Mini Rice Mill,
Sarimpur Resident of Village + Post Office- Sarimpur, Police Station- Buxar
(Industrial Area), District- Buxar.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar
2. The Bihar State Food and Civil Supply Corporation Ltd. through its Managing Director, Sone Bhawan, Veerchand Patel Path, Patna.
3. The District Manager, State Food & Civil Supply Corporation Ltd., Buxar.
4. The Certificate Officer cum Deputy Collector Land Reform, Buxar
5. The Circle Officer, Buxar District Buxar.

.... Respondents

Appearance :

For the Petitioner : Dr. Amrendra Kumar,
Mr. Ravi Shanker Pankaj, Advocates
For the State : Mr. Ashok Priyadarshi, GA 4
For the BSFC : Mr. Shailendra Kr. Singh,
Mr. Awadhesh Kumr, Advocates

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-11-2015

The present writ petition has been filed for quashing the order dated 02.09.2015 passed in Certificate Case No. 16 of 2014-15 by the Certificate Officer, Buxar for recovery of Rs. 62,04,634.74 from the petitioner towards 2865.141 quintals of rice at the rate of Rs. 2165.56 per quintal which was not deposited by him.

2. Learned counsel for the petitioner submits that some payments towards certificate amounts, namely, Rs. 6,21,000/- and Rs. 6, 20,000/- through Demand Draft Nos. 427012 dated 07.09.2015 and 427015 dated 08.09.2015, respectively, have already been made by the petitioner and he is willing to make payment of the remaining

amount in reasonable instalments.

3. Learned counsel for the respondent-Corporation appears and has been heard.

4. Having regard to the stand of the parties, the writ petition is disposed of granting liberty to the petitioner to approach the Certificate Officer-cum-Deputy Collector Land Reforms, Buxar (respondent no.4) for appropriate relief by way of fixation of his instalments for payment of the amount remaining outstanding in Certificate Case No. 16 of 2014-15. Such request, if made, shall be considered on its own merit and disposed of in accordance with law expeditiously and preferably within a period three weeks from the date of receipt/production of a copy of this order.

5. Pending disposal of the request of the petitioner, no coercive action for recovery of the dues in Certificate Case No. 16 of 2014-15 shall be taken against the petitioner.

(Vikash Jain, J)

B.T/-

U			
---	--	--	--