

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13518 of 2013

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1. Gauri Shankar Sah S/O Late Ram Kawal Sah Resident Of Village
 Kritpura, P.S+ District- Buxar. Petitioner

Versus

1. The State Of Bihar
2. The Secretary Department Of Food And Civil Supply Government Of Bihar, Patna.
3. The District Magistrate, Buxar.
4. Dy. Development Commissioner, Buxar.
5. The Block Development Officer, Buxar.
6. The Block Supply Officer, Buxar.
7. The Certificate Officer- Cum- Senior Deputy Collector, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Respondent/s : Mr. JC to SC 10

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 01-09-2015 The petitioner, who is a holder of PDS licence bearing license No.41 of 2007 under Kamarpur Panchayat in the district of Buxar, seeks to challenge the demand notice dated 18.6.2013 passed by the Block Development Officer, Buxar.

The Block Development Officer, Buxar vide second notice dated 18.6.2013 directed the petitioner to refund the value of undistributed rice handed over to him under SGRY Scheme. The notice does not disclose the amount or quantity of food grains due against the petitioner

The case of the petitioner is that he received 120 quintals of rice @ 6.27 per Kg in the year 2003-04 and distributed the entire

rice.

Learned State counsel disputes the stand of the petitioner.

The second notice issued to the petitioner is vague and not specific as to how much quantity the petitioner received and how much he did not distribute. In this view of the matter, the impugned notice is not sustainable in law and is set aside.

However, liberty is granted to the respondents to issue a notice taking clear stand regarding the quantity of rice which the petitioner has not distributed.

With the aforesaid liberty to the respondents, this writ application is allowed to the extent mentioned above.

(Samarendra Pratap Singh, J)

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