

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19847 of 2013

=====

Jai Prakash Mandal, son of late Tej Narayan Mandal, resident of Village Pathara, P.S. Barahat, Dist. Banka, authorized representative of Kanchan Rice Mill, Ratanganj, Sahkund, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Supaul.
2. The Certificate Officer, Supaul.
3. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Supaul.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Adv.
Mr. D.N. Tiwari, Adv.

For the BSFC : Mr. Shailendra Kr. Singh, Adv.

For the State : Mr. Upendra Pratap Singh, AC to SC-25

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-01-2015 Learned counsels for the parties agree that the case in hand is squarely covered by the judgment of this Court in the case of *Sone Valley Rice Mill through its Proprietor Sudhakar Singh Vs. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna & Ors.* reported in **2014(3)PLJR 819**. Learned counsel for the petitioner in fact has also produced a copy of the recent notice of the District Certificate Officer, Supaul dated 11.12.2014 in Certificate Case No. 03/2013-14 to contend that the Certificate Officer has directed the petitioner to appear on 20.1.2015.

Keeping the aforesaid aspect into consideration that the case of the petitioner is squarely covered by the ratio laid down in the case of *Sone Valley Rice Mill (supra)*, this Court would quash

the entire certificate proceeding including the aforesaid notice dated 11.12.2014 pending before the District Certificate Officer, Supaul.

It is, however, made clear that nothing said in this order shall be taken as a bar for the Corporation in realizing the amount covered by the aforesaid certificate case from the petitioner as may be otherwise permissible in law.

(Mihir Kumar Jha, J)

Rishi/-

U			
---	--	--	--