

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6158 of 2011

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1. Surendra Singh Diwakar, S/O Late Sita Ram Singh, Resident of Mohalla-Balughat, Police Station Town, District- Muzaffarpur and Presently Acting as the President of the Khudra Kirasan, Thela Vikreta Sangha, Muzaffarpur.
 2. Ram Suresh Sahni, S/O Late Ram Autar Sahni, Resident of Mohalla-Balughat, P.S.-Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-Cum-Commissioner, Department of Food Commerce and Consumer Affairs, Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Muzaffarpur.
3. The Sub Divisional Officer, Muzaffarpur East, District Muzaffarpur.
4. The Sub Divisional Officer, Muzaffarpur West, District- Muzaffarpur.
5. The District Supply Officer, Muzaffarpur.
6. The Sub Divisional Officer, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Respondent/s : Mr. Raju Giri, G.P.-30

Mr.Nikhil Kumar Agrawal, AC to GP-30

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

10 01-07-2015

Heard the parties.

Learned counsel appearing on behalf of the petitioners submits that for redressal of their grievances/claims, enumerated in paragraph no.1 of the writ petition, a comprehensive representation, as contained in Annexure-5, was filed on behalf of the petitioners before the Secretary, Department of Food, Commerce and Consumers Affairs, Government of Bihar, Patna, but till date neither all their valid grievances have been redressed nor the representation filed on their behalf has finally been disposed of.

Learned AC to GP-30 appearing on behalf of the respondents has submitted that the issues/claims raised on behalf of the petitioners have been controverted in the counter affidavit filed on behalf of the respondent nos. 1 to 6, but he has fairly conceded that the representation filed on behalf of the petitioners

has not finally been disposed of by an order passed by the competent authority.

In view of the nature of grievances/claims raised on behalf of the petitioners involving the policy matter of the State Government, this Court is of the opinion that, instead of deciding the issues raised herein in the present proceeding, interest of justice shall be sub-served, if the petitioners are granted liberty to file a fresh comprehensive representation with respect to their surviving claims before the respondent Principal Secretary-cum-Commissioner, Department of Food, Commerce and Consumer Affairs, Government of Bihar, Patna. It is ordered accordingly.

If such a comprehensive representation is filed by the petitioners within a period of six weeks from today with a certified copy of the present order, then the respondent Principal Secretary-cum-Commissioner, Department of Food, Commerce and Consumer Affairs, Government of Bihar, Patna shall be obliged to consider and decide the claims raised on behalf of the petitioners by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioners.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioners in the present writ petition and the same is left to be decided by the respondent Principal Secretary-cum-Commissioner, Department of Food, Commerce and Consumer Affairs, Government of Bihar, Patna strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

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(Birendra Prasad Verma, J)