

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14139 of 2015**

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1. Laskari Primary Agriculture Credit Society Ltd. having registration Office at Laskari, P.O. Laskari, P.S. Uda Kishunganj, District Madhepura through its Chairman Sambhu Nath Thakur son of Late Shiv Nandan Thakur Resident of Village- Laskari, P.S. Uda kishunganj, District Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies Corporation, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supplies Corporation, Government of Bihar, Patna.
3. The Bihar State Food and Civil Supplies Corporation through its Managing Director, Patna.
4. The Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
5. The District Magistrate, Madhepura.
6. The District Supply Officer, Madhepura.
7. The District Manager, Bihar State Food and Civil Supplies Corporation Purchase Centre Uda Kishunganj, District Madhepura.
8. The District Co-operative Officer, Madhepura.
9. The Circle Officer-cum-Enforcement Officer, Uda Kishunganj District Madhepura.
10. The Block Development Officer, Uda Kishunganj, District Madhepura.
11. The Kisan Salahkar, Laskari Panchayat, Block Uda Kishunganj District Madhepura.

.... .... Respondent/s

with

**Civil Writ Jurisdiction Case No.14188 of 2015**

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1. Parariya Primary Agriculture Credit Cooperative Society Ltd. through its chairman, Manoj Kumar Mishra, Son of Sri Amarnath Mishra, resident of village - Belahi, P.O. and P.S. - Bihariganj, District- Madhepura (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary.
2. The Principal Secretary, Department of Co-operative, Govt. of Bihar, Patna.
3. The Principal Secretary, Deptt. of Food & Consumer Protection, Govt. of Bihar, Patna.
4. The Managing Director, Bihar State Food & Civil Supply Corporation, Sone Bhawan, Virchand Patel Path, Patna.
5. The Divisional Commissioner, Koshi Division, Saharsa.
6. The District Magistrate, Madhepura.
7. The District Co-operative Officer, Madhepura.
8. The District Manager, State Food Corporation, Madhepura.

9. The District Supply Officer, Madhepura.
10. The Block Development Officer, Bihariganj, Madhepura.
11. The Circle Officer, Bihariganj, Madhepura.
12. The Block Co-operative Extension Officer, Bihariganj, Madhepura.

.... .... Respondent/s

**Appearance :**

(In CWJC No.14139 of 2015)

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh- GA-3

For the B.S.F.C. : Mr. A.N.Rai, Adv.

(In CWJC No.14188 of 2015)

For the Petitioner/s : Mr. Binod Kumar Jha, Adv.

For the Respondent/s : Mr. Abbas Haider- SC16

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**

**ORAL ORDER**

4      09-11-2015      Both these writ petitions have been filed after the cut of date fixed in the Scheme of the Government of India which was enforced by the State through Circular of the Chief Secretary dated 19.11.2014 whereunder paddy was to be supplied by the Societies to the Corporation until 15.4.2015 and the custom milled rice until 31.8.2015.

The issue raised in these two writ petitions regarding non-lifting of paddy/custom milled rice by the Corporation came up for consideration in the batch of cases arising from C.W.J.C. No.10728 of 2015 and C.W.J.C. No. 11746 of 2015 and this Court upon consideration of the facts available on record, the Scheme of the Government of India and the arguments of the counsel appearing for the contesting parties concluded that only such of

the stock of the society concerned which is supported by the enforcement certificate(s) issued by the Enforcement Officer appointed by the District Magistrate in favour of the society concerned and the said society has approached the Court before the cut of date fixed under the policy i.e. 31.8.2015, would be entitled to the reliefs prayed. In the case of the writ petitioners herein, admittedly, the writ petitions have been filed after the cut of date on 4.9.2015.

In the circumstances and on the principles laid down by this Court referred to above, the petitioners are not entitled to any indulgence and the writ petitions are disposed of accordingly.

**(Jyoti Saran, J)**

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