

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2265 of 2011

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M/S Maa Durga Enterprises, A Proprietary Concern Having Its Cold Storage Unit At Industrial Area, P.O. & P.S.-Pandaul, Distt.-Madhubani Through Its Proprietor, Rajesh Ratan Jyoti S/O Shri Shyama Nand Roy R/O Kutchary Road, P.S. + Distt. Begusarai

.... Petitioner/s

Versus

1. The Bihar Industrial Area Development Authority Udyog Bhavan R/O Bailey Road, Patna Through Its Managing Director
2. The District Consumer Disputes Redressal Forum, Madhubani Having Its Situated At Civil Court Campus, R/O Madhubani Through Its Secretary
3. Kamli Mahto S/O Late Laddu Lal Mahto R/O Village-Dodhiyari, P.O.-Ahilwara, P.S.-Hassanpur Road, Distt.-Samastipur
4. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Respondent/s : Mr. Lalit Kishore

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

8 31-07-2015 Heard counsel for the petitioner, the respondent no.3,

Ms. Binita Singh for respondent-BIADA and the State.

The writ application seeks on amongst others the following relief as contained in paragraph 1(i) of the writ application:-

“(i) For quashing of the order dt. 09.12.2010 passed by the District Consumer Disputes Redressal Forum, Madhubani in Complaint Case No. 116/2007 whereby the petitioner has been directed to pay the awarded amount consisting of the assessed loss, interest, compensation on account of mental agony &

litigation cost etc. to the Respondent No.3 in the teeth of the Order dt. 24.09.2008 passed in the case of the petitioner by this Hon'ble Court in CWJC No. 14312/2007 (Maa Durga Enterprises vs. State of Bihar & Ors.) reported in (2009) 2 PLJR 1000 as being passed in excess of its jurisdiction.”

There is agreement at Bar that the issues as raised herein have been raised and decided in a batch of writ petitions being CWJC No. 7058 of 2011 and its analogous cases. Counsel for the respondent no.3 has handed in a web copy of the order dated 10.07.2015 passed in the aforesaid case(s). The same is taken on record and marked 'X' for identification.

Considering the stand taken by the petitioner and the respondents the preset writ application is disposed of in the light of the order passed in CWJC No. 7059 of 2011 and its analogous cases. The petitioner, if so advised, may assail the order passed by the District Consumer Disputes Redressal Forum, Madhubani before the appellate forum in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

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