

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12210 of 2013

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Anil Kumar Singh, son of Late Jainandan Prasad Singh, resident of Village-Sultanpur, Police Station- Desari, in the District of Vaishali Petitioner

Versus

1. The State of Bihar
 2. The District Magistrate, Vaishali
 3. The Deputy Development Commissioner, Vaishali
 4. The Sub-Development Officer, Mahuar, Vaishali
 5. The Block Development Officer, Sahdei Buzurg in the District of Vaishali Respondents
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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
Mr. Ramjeet Kumar, Advocate

For the Respondent/s : Mr. Raju Giri, G.P.-30
Mr. Santosh Kr. Mishra, AC to GP. 30

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 28-08-2015 Heard learned counsel for the petitioner and the respondents.

2. The petitioner is a P.D.S. dealer under Sahdei Buzurg Block in the district of Vaishali. He was issued demand notice for payment of value of undistributed rice allotted to him under different Government Schemes.

3. It was the case of the petitioner that only 52.5 quintals of rice had remained undistributed. The petitioner moved this Court in C.W.J.C. No.14612 of 2011. This Court by order dated 15.09.2011 directed the petitioner to deposit 50% of 52.5 quintals of rice at the rate of 10 per Kg.

4. The petitioner submits that he has deposited the value of 26.25 quintals of rice (half of 52.5 quintals) at the rate of

10 per Kg in terms of the direction of this Court.

5. The petitioner submits that the impugned order raising the quantity of undistributed rice to 235 quintals is incorrect and no materials have been shown in favour of the same. He submits that he is ready to deposit the value of the further 26.25 quintals of rice at the rate of Rs.10.00 per Kg. within two months.

6. In the facts and circumstances of the case, this application is disposed of with the following directions: (i) The petitioner would deposit the value of remaining 26.25 quintals of rice at the rate of Rs.10.00 per Kg. within two months from today, (ii) he would again file a detailed representation before the Block Development Officer, Sahdei Buzurg, who would dispose of the same within a period of three months after giving a personal hearing to the petitioner, (iii) In the meantime, no coercive steps would be taken against the petitioner.

7. In case, the petitioner is aggrieved by the order of the Block Development Officer, Sahdei Buzurg, he would be entitled to challenge the same.

8. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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