

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17468 of 2013

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Raj Kishore Singh, son of Late Kedar Nath Singh, resident of Village-
Majleshpur, Police Station- Mahnar, District- Vaishali at Hajipur

.... Petitioner

Versus

1. The State of Bihar
2. The Collector, Vaishali at Hajipur
3. The D.D.C. Cum Chief Executive Officer, Vaishali at Hajipur
4. The Block Development Officer, Mahnar, Vaishali at Hajipur
5. The Mukhiya, Alipur Hatta Gram Panchayat, District- Vaishali at Hajipur
6. Panchayat Sevak, Alipur Hatta Gram Panchayat, District- Vaishali at Hajipur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha

For the Respondent/s : Mr. Rajendra Kr. Jha

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is a P.D.S. dealer. He was allotted food-grains between 2003 - 2006 for distribution under different scheme.

Earlier a demand was issued for a sum of Rs.3,57,346/- against the undistributed rice allotted under the Scheme. The petitioner moved this Court against the said demand in C.W.J.C. No. 10759 of 2011. The writ application was disposed of on 08.11.2011 with a direction that the petitioner would deposit 15% of the value of 497 quintals of rice at the rate of Rs.10/- per Kg. At the same time, the petitioner was also given liberty to raise

his objection. In terms of the order of this Court dated 08.11.2011, the petitioner has deposited a sum of Rs.61,050/- before the authority concerned.

The petitioner submits that as per audit report, the due was only 3,57,346/- and if a sum of Rs.60,050/- is deducted, which has been deposited as per the order of this Court, then only Rs.2,97,296/- remains as due. Still the authorities has raised a demand of Rs.4,35,950/-. Furthermore, the certificate case has been initiated for an amount of Rs.3,57,346/-.

In my view, as the petitioner has deposited a sum of Rs.60,050/-, the certificate proceeding would proceed for a sum of Rs.2,97,296/-. If the petitioner deposit a further sum of Rs.40,000/- within a period of two months, no coercive steps would be taken against him. It goes without saying that the petitioner can raise his objection before the Certificate Officer.

This application stands disposed of.

(Samarendra Pratap Singh, J.)

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