

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10856 of 2015

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Pokhra Primary Agriculture Co-operative Society through its Chairman
Jaichandra Yadav son of Late Kunai Yadav, resident of village Pokhra, P.O
Talwa Pokhar, P.S Kotwa, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar
2. The Bihar State Food and Civil Supply Corporation, Patna through its Managing Director.
3. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation, East Champaran, Motihari
5. The District Magistrate, East Champaran at Motihari
6. The District Co-operative Officer, East Champaran at Motihari
7. The Block Co-operative Officer, Kotwa, District East Champaran

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.10432 of 2015

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Bhopatpur Uttari Primary Agriculture Co-operative Society through its
Chairman Pradeep Singh son of late Jaydeo Singh resident of Bishunpur
P.o. Bhopatpur, Ps. Kotwa, District East Champaran,.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Govt. Of Bihar
2. The Bihar State Food and Civil Supply Corporation, Patna through its Managing Director.
3. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna through its Managing Director.
4. The District Manager, Bihar State Food & Civil Corporation limited, East Champaran, Motihari
5. The District Magistrate, East Champaran at Motihari
6. The District Co-Operative Officer, East Champaran at Motihari.
7. The District Co-Operative, Kotwa, District East Champaran

.... Respondent/s

Appearance:

(In CWJC No.10856 of 2015)

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Respondent/s : Mr. Ashok Priyadarshi, GA-4

(In CWJC No.10432 of 2015)

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Respondent/s : Mr. Yogendra Pd. Sinha, AAG-15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 21-08-2015

The grievance of the petitioner society in CWJC No. 10856 of 2015 is that of the 1520 quintals of paddy purchased from the farmers before the cut off date fixed under the policy dated 19.11.2014 of the State Government, whereas the respondent Corporation has purchased 700 quintals of paddy but 820 quintals of paddy yet remains with the society. It is thus prayed that the balance be lifted and payments be made.

In a similar manner the petitioner in CWJC No. 10432 of 2015 submits that of the procurement made of 1090.80 quintals of paddy 614 quintals have been purchased by the Corporation but the balance 476.80 quintals delivered to the rice mill for custom milled rice remains pending for purchase.

Mr. Shukla submits that in terms of the advisory issued by the District Magistrate, East Champaran at Motihari bearing Memo No. 385 dated 06.5.2015, a copy of which is placed at Annexure-4 to the writ petition and Annexure-E to the counter affidavit of the Corporation, all that he is required, is to deliver the custom milled rice before the cut off date which is presently fixed on 31st August, 2015.

Mr. Anjani Kumar, learned senior counsel representing the Corporation with reference to the enquiry report of the District Manager dated 08.6.2015 present at Annexure-F submits that the claim of the petitioners is not disputed and thus if the petitioners would effect the supply of the balance 820 quintals and 476.80 quintal respectively as the custom milled rice with the District Manager, the payments would be made in terms of Clause-7 of the Advisory of the District Magistrate present at Annexure-E.

In the circumstances where there is no contest to the prayer of the petitioners, the writ petitions are disposed of with a direction to the petitioner societies to make delivery of the custom milled rice with the District Manager of the respondent Corporation without any delay and positively within a week and whereupon the District Manager shall make payment of the balance supply of the custom milled rice by the petitioners within a week of its supply.

S.Sb/-

(Jyoti Saran, J)

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