

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7731 of 2015

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Gopal Prasad Yadav, Son of Shri Ram Dayal Rai, Resident of village -
Goraiya Tola, P.O.- Badlu Tola, P.S.- Chapra Mufasil, District - Saran,
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Registrar, Co-operative Societies, Bihar, Patna.
3. The Joint Registrar, Co-operative Societies, Saran Division, Chapra.
4. The District Co-operative Officer, Saran, Chapra.
5. The Incharge Block Co-operative Extension Officer, Chapra Sadar Block -cum- Special Officer, Badalu Tola PACS.
6. The Block Development Officer, Chapra Sadar, District - Saran.
7. The Circle Officer, Chapra Sadar Block, District - Saran.
8. The District Certificate Officer, Chapra.
9. The Bihar State Food Corporation through its Managing Director, Patna.
10. The District Manager, Bihar State Food Corporation, District- Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Respondent/s : Mr. Alok Kumar Rahi, AC to AAG-2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 28-09-2015 Heard Mr. Siddharth Harsh, learned counsel

appearing for the petitioner, learned counsel for the State and

learned counsel for the Corporation.

The petitioner attempts to question the notice dated
21.4.2015 bearing Memo no.627 issued by the District
Cooperative Officer, Saran at Chapra calling upon the petitioner
to pay Rs.2,50,000/- for supply of 200 quintals of paddy the
source of which is being doubted by the authorities.

The allegation so made against the petitioner was a



subject-matter of a Public Interest Litigation arising from CWJC No.14100 of 2014 and it is in the light of the directions issued by the Division Bench that steps were taken by the respondent State authorities as well as the authorities of the Corporation to not only institute an FIR against the petitioner but to also draw a certificate proceeding.

Mr. Siddharth Harsh, learned counsel appearing for the petitioner while admitting that the notice impugned is in the light of the order passed by the Division Bench, submits that the allegation is without foundation.

Mr. Alok Kumar Rahi, learned Assisting Counsel to Additional Advocate General No.2 submits that the petitioner is also a part of a mass scam which is engulfing the paddy procurement.

Be that as it may the fact remains that a criminal case has been instituted against the petitioner and a certificate proceeding has also been drawn.

In the circumstances so prevailing and considering that the notice impugned bearing Memo No.627 dated 21.4.2015 is in the light of the order passed by the Division Bench in CWJC No.14100 of 2014 I am not persuaded enough to interfere therewith and the writ petition is disposed of with liberty to the

petitioner to respond to the notice so issued by the District Cooperative Officer as well as to the criminal prosecution so launched and the certificate proceeding so initiated, to vindicate his stand.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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