

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16035 of 2015

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Paghari Primary Agricultural Cooperative Society Limited through
Chairman, Shankar Kumar Choudhary, S/o Late Ramshray Choudhary,
resident of Village & P.O.-Paghari, Block & P.S.-Baheri, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer
Protection Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Co-operative Department, Govt. of Bihar, Patna.
3. The Managing Director, Bihar State Food & Civil Supplies Corporation
Limited, Patna.
4. The District Magistrate, Darbhanga.
5. The District Co-operative Officer, Darbhanga.
6. The Block Development Officer, Baheri, Darbhanga.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
Mr. Rajeev Lochan, Advocate

For the Respondent-Corporation: Mr. A.N. Rai, Advocate

For the Respondent/s : Mr. Sheo Shankar Pd., SC-10
Mr. Anil Kumar, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 14-10-2015 Heard the parties.

The petitioner seeks his remedy under the policy
decision announced by the Government of India for the Kharif
Marketing Session 2014-15 in respect of disposal of the paddy of
the farmers of the State of Bihar. According to the said policy the
paddy was to be supplied to the Bihar State Food and Civil
Supplies Corporation by the farmers through their respective
Cooperative Societies until 15.4.2015 and the CMR received on



milling from the paddy purchased, was to be supplied until 31.8.2015. The issue regarding obligation of the Corporation to receive the paddy / CMR came up for consideration before this Court in CWJC No. 10728 of 2015 and analogous cases which was relatable to the District of East Champaran and CWJC No. 11746 of 2015 which was relatable to the District of Gopalganj and in which judgments have been pronounced on 12th and 14th October, 2015 respectively.

This Court has held that such of the societies whose balance stock purchases are supported by the enforcement certificate and have approached this Court within the cut off date for supply thereof i.e. 31.8.2015 would be entitled to consideration. Admittedly, insofar as the present petitioner is concerned, it has approached this Court much beyond the cut off date so fixed under the policy i.e. 31.8.2015 as the petitioner has filed the writ petition on 24.9.2015. The petitioner thus having approached this Court after the lapse of the cut off date hence in view of the principle so laid down by this Court aforementioned, the relief claimed is not worthy of indulgence and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

S.Sb/-