

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10968 of 2013

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1. Nathun Shahi Son Of Late Kamal Shahi Resident Of Village: Pakari Panjavar Siswan, P.S. Siswan, District: Siwan
 2. Ram Nath Sah Son Of Sri Gopaljee Sah Resident Of Village: Nayagaon, P.S. Siswan, District: Siwan
- Petitioners

Versus

1. The State Of Bihar
 2. The District Magistrate, Siwan
 3. The Deputy Development Commissioner, Siwan
 4. The District Supply Officer, Siwan
 5. The District Manager, Bihar State Food And Civil Supplies Corporation Limited, Patna
 6. The Sub-Divisional Officer, Siwan Sadar
 7. The Block Development Officer, Siswan, P.S. Siswan, District- Siwan
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. A.K.Pandey, Advocate

For the Respondent/s : Mr. S S Pd Sinha, AC to GA 13.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 19-08-2015 The petitioners pray for quashing order dated 8.3.2012 and 9.2.2013, issued by respondent no.3 directing them to refund the value of undistributed food grains rice lifted under the Scheme between 2001-02 and 2006-07.

Earlier similar matters had come up before this Court in C.W.J.C. No. 711 of 2011 (Awadh Prasad Singh Vs. The State of Bihar & Ors.) & C.W.J.C. No. 757 of 2011 (Suresh Prasad @ Raj Kumar Vs. The State of Bihar & Ors.). The aforesaid writ applications have been disposed of by order dated 06.07.2011 after noticing the submissions of learned counsel for the parties. As the facts and issues are common, the order dated 06.07.2011

passed in C.W.J.C. No. 711 of 2011 and C.W.J.C. No. 757 of 2011 would also govern the instant writ petition.

The writ petition is disposed of in terms of the order dated 06.07.2011 passed in C.W.J.C. No. 711 of 2011 and C.W.J.C. No. 757 of 2011 including interim protection as mentioned therein, with the condition that the petitioners would either deposit 20% of the value of undistributed rice at Rs.10 per Kg. or the rice itself, if already not deposited within two months.

The petitioners would file representation within two months which would be disposed of within further two months by respondent no.3.

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(Samarendra Pratap Singh, J)