

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7324 of 2014

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Shushma Kumari wife of Arun Kumar, R/o village- Shirahi, P.S.- Riga, District-
Sitamarhi, Proprietor of Shree Mahaveer Enterprises, Rajopatti, District- Sitamarhi
.... Petitioner

Versus

1. The State of Bihar, through the Collector, Sitamarhi
2. The District Manager, Bihar State Food & Civil Supply Corporation, Sitamarhi
.... Respondents

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. Ashok Kumar Jha, Advocate
For the State : Mr. Sanjay Kumar Tiwary, AC t o GP 27
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-06-2016

The present writ petition has been filed for a direction to the respondent-authorities either to lift or allow the petitioner to sell the paddy/rice kept in the Godown of the petitioner's mill and premises of BISCOMAUN (taken on rent on the direction of the BSFC) as the petitioner being the owner of Rice Mill was given paddy for husking and to supply rice proportionately against the paddy supplied to them which was taken under the Plan for procurement of paddy for the financial year 2011-12 in terms of an agreement in between the parties.

2. Without going into the detailed merits of the matter, learned senior counsel, Mr. N.K. Agrawal, appearing on behalf of the petitioner invites attention to the observations of this Court in the interim order dated 05.05.2014 passed in CWJC No. 6643 of 2014 and other analogous cases (Annexure-A to the counter affidavit), whereby this Court took note that the respondent-Corporation had already issued

a letter with regard to the previous year. It has been observed as follows:-

“Considering the facts and circumstances that the Corporation issued a letter with regard to the previous year permitting the rice millers to sell the rice in open market and deposit the amounts to clear their liability, a similar letter with respect to the milled rice involved in the present matters as also the present milling season be issued by the respondent Corporation within a period of one week from today; the petitioners undertake that the amount received by them by selling the milled rice shall be disposed with the respondent Corporation subject to the result of the writ applications.”

3. Learned senior counsel for the petitioner prays that the matter be disposed of in line with the aforesaid directions and observations of this Court.

4. Learned counsel for the respondent-Corporation, Mr. Shailendra Kumar Singh, has no objection in this regard.

5. Having regard to the stand of the parties, the writ petition is disposed of in line with the aforesaid directions and observations made in the interim order dated 05.05.2014 passed in CWJC No. 6643 of 2014 and other analogous cases.

6. It is made clear that the present judgment shall not prejudice the proceedings in Certificate Case No. 5 of 2013-14.

B.T/-

AFR/NAFR	NAFR
CAV DATE	N/A
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(Vikash Jain, J)