

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.437 of 2015

Arising out

Civil Writ Jurisdiction Case No. 10304 of 2014

Along with

Interlocutory Application No.2018 of 2015

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Shiv Shakti Agro Product and Rice Industries Pvt. Ltd., R/o- At- Gamharia,
P.O+P.S.- Raxaul, District- East Champaran through its Managing Director, Ashok
Kumar Sinha, S/o-Late Shiv Bachan Prasad Sinha, Resident of Mohalla- Mauze
Raxaul, Ward No.-13, P.O.-Raxaul, P.S.- Raxaul, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar, through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
2. The District Collector, District- East Champaran.
3. The Sub-Divisional Officer, District- East Champaran.
4. Bihar State Foods and Civil Supplies Corporation Limited, Through its Managing Director, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Motihari East Champaran.

.... Respondent/s

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Appearance :

For the Appellant : Mr. Krishna Mohan Mishra, Advocate

For the Respondents-Corporation : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 13-05-2016

Re.: Interlocutory Application No.2018 of 2015

The application is for condonation of delay of 143 days in filing of the present appeal.

For the reasons mentioned in the application, we find that sufficient cause is shown by the appellant to condone such delay. Consequently, the delay in filing of the present Letters Patent Appeal is condoned.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.437 of 2015

The order dated 23rd of July, 2014 passed by the learned Single Bench of this Court in CWJC No.10304 of 2014 is subject matter of challenge in the present Letters Patent Appeal. The said writ application was decided on the basis of an order passed in C.W.J.C. No.9133 of 2014 (M/s. Shivam Mini Modern Rice Mill Vs. The State of Bihar & Ors.) on 22nd of July, 2014. Vide the aforesaid order, analogous cases were also decided. The Letters Patent Appeal bearing L.P.A. No.1709 of 2014 (Arvind Kumar Vs. The State of Bihar & Ors.), arising out of one of the analogous cases was decided by the Division Bench of this Court on 17th of April, 2015.

2. Learned counsel for the appellant states that the present appeal be also decided in terms of the directions in L.P.A No.1709 of

2014 and other analogous cases.

3. In view of the said fact, the present Letters Patent Appeal is disposed of in the same terms as contained in L.P.A. No.1709 of 2014 and other analogous cases.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N. A.
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