

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1765 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 9978 of 2013
Along with
Interlocutory Application No.7923 of 2015

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1. The Bihar State Food & Civil Supplies Corporation Ltd. through its Chairman.
 2. The District Manager, Bihar State Food & Civil Supplied Corporation Ltd. Nalanda.
- Respondents- Appellant/s
- Versus
1. M/s Shankar Rice Mill, village Nischalganj P.O. and P.S. Ekangarsarai, District Nalanda, through Proprietor Rajeshwar Prasad, son of Late Bangali Mahto, resident of village Nischalganj P.O. & P.S. Ekangarsarai, District Nalanda.
- Writ petitioner-Respondent.
2. The State of Bihar through Principal Secretary, Food & Consumer Protection Department State of Bihar, Patna.
 3. The District Magistrate, Nalanda.
 4. The Sub Divisional Officer, Hilsa, District Nalanda.
 5. The Block Development Officer, Hilsa, Nalanda.
 6. The Secretary Food Corporation of India, New Delhi.
 7. The Area Manager, Food Corporation of India, District-Nalanda.
- Respondents-Respondent/s
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Appearance :

For the Appellant/s : Mr. Anjani Kumar, Senior Advocate
Mr. Shailendra Kumar Singh, Advocate

For the Respondent No.1: Mr. Krishna Mohan Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

C.A.V. JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 20-05-2016

Re. : Interlocutory Application No.7923 of 2015

The application is for condonation of delay of 75 days in filing of the present appeal.

For the reasons mentioned in the application, we find that

sufficient cause is shown by the appellants 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.1765 of 2015

The arguments were addressed by learned counsel for the parties in Letters Patent Appeal No.1576 of 2014 (The Bihar State Food and Civil Supplies Corporation Limited and Anr. Versus Sone Valley Rice Mill and Ors.) and other analogous cases. Letters Patent Appeal No.1576 of 2014 stands allowed for the reasons recorded therein.

In view of the said fact, the present Letters Patent Appeal is allowed for the same reasons as recorded therein and the writ application stands dismissed. There shall be no order as to costs.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	09.05.2016
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