

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15335 of 2015

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1. M/s Maa Laxmi Jee Rice Mill & Galla Bhandar, situated at Village : Narayanagarh (Piro) P.O. : Jitaura, P.S. : Piro, District : Bhojpur, through its Proprietor Sri Birendra Chaudhary son of Late Sugandh Chaudhary

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Bhojpur at Ara.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Patna.
3. The District Manager, State Food Corporation, Bhojpur at Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Malhotra, Sr. Adv.
Mr. Binod Kumar Sinha, Adv.
For the Respondent/s : Mr. Kumar Priyaranjan, S.C. 23
For the S.F.C. : Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 03-03-2016 Heard Mr. Naresh Kumar Malhotra, learned Senior Counsel for the petitioner, learned counsel for the State and Mr. Shailendra Kumar Singh learned counsel for the Corporation.

The petitioner is a registered Cooperative Society under the Bihar Cooperative Societies Act, 1935 and is aggrieved by the action of the respondent Bihar State Food and Civil Supplies Corporation on their failure to hand over a balance quantity of 2463 quintals of paddy against 5670 quintals of custom milled rice ('CMR' for the sake of brevity) supplied by the petitioner.

This matter was heard on 27.10.2015 and on the prayer made by Mr. Shailendra Kumar Singh appearing for the



Corporation it was adjourned to 23.11.2015 and again to 30.11.2015 when Mr. Shailendra Kumar Singh on instructions from the District Manager, Bhojpur informed this Court that the grievance of the petitioner is genuine and would be redressed. However, on his prayer made and to bring the stand on record that this matter was adjourned and has been taken up today when again the affidavit is missing and again Mr. Singh informs with the aid of the written instruction received by him that of the balance quantity of paddy to be delivered to the society precisely which is to the tune of 2462.69 quintals, 933 quintals have already been handed over to the petitioner in January, 2016 leaving a balance of 1529.69 quintals and which would be delivered to the petitioner within six weeks from today.

Considering that there is no dispute on the claim, I shall only hold that the corporation would be bound by their statement and should deliver the balance 1529.69 quintals of paddy to the petitioner within a maximum period of six weeks from today. The writ petition is disposed of with the direction aforementioned.

Bibhash/-

(Jyoti Saran, J)

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