

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15146 of 2011

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1. Krishna Kumar Jha S/o Pitambar Jha Resident of Village- Sumahuti, P.O.- Salempur, P.S.- Tariyani, District- Sheohar
 2. Md. Nooren Alam, S/o Md. Rauff, Village.- Koslo, P.S.- Tariyani, District- Sheohar
 3. Harendra Kumar Singh, S/o Late Jagarnath Singh, resident of Village- Maguraha, P.O.- Sonbarsa, P.S.- Tariyani, District- Sheohar
 4. Arbind Kumar Singh, S/o Shri Ram Wwaroop Prasad, Resident of Village- Fatehpur, P.O.- Sakharapur, P.S.- Tariyani, District- Sheohar
 5. Priyabrat Singh S/o Shri Laxmi Singh, Resident of Village & P.O.- Salempur, P.S.- Tariyani, District- Sheohar
 6. Vijay Kuamr Singh, S/o Late Nawal Kishore Singh, Resident of Tariyani Chapra, P.S.- Tariyani, District- Sheohar
 7. Ram Kishun Sah, S/o Late Matuk Sah, Vill.- Sultanpur, P.O.- Belahia, P.S.- Tariyani, District- Sheohar
 8. Satyendra Narayan Singh, S/o Ram Bahadur Singh, Resident of Village & P.O.- Aura, P.S.- Tariyani, District- Sheohar
 9. Chandeshwar Singh, S/o Late Ram Prahar Singh, Village- Pachragot, P.O.- Hiramma, P.S.- Tariyani, District- Sheohar
 10. Rajendra Prasad Singh, S/o Late Harihar Singh, Village & P.O.- Sakharapur, P.S.- Tariyani, District- Sheohar
 11. Ram Chandra Sah, S/o Late Babulal Sah, Resident of Village & P.O.- Dumma Hirauta, P.S.- Tariyani, District- Sheohar
 12. Ram Bilas Rai, S/o Late Ram Bhajan Rai, Resident of Village- Ghusukhpur, P.S.- Tariyani, District- Sheohar
 13. Manoj Kumar Sah @ Manoj Roy, S/o Late Methur Sah, Resident of Village & P.O.- Surgahi, P.O.- Kushar, P.S.- Tariyani, District- Sheohar

.... Petitioners

Versus

1. The State Of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Old Secretariat, Patna
2. The District Magistrate, Sheohar
3. The Deputy Development Commissioner, District- Sheohar
4. The Sub Divisional Officer, District- Sheohar
5. The Block Development Officer, Block- Tariyani, District- Sheohar
6. The Officer In-Charge, Tariyani Police Station, District- Sheohar

.... Respondents

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Appearance :

For the Petitioners : Mr. Gautam Kumar Kejriwal, Advocate
For the Respondents: Mr. Pawan Kr. Mishra, GP22

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-03-2016

Heard learned counsel for the petitioners, learned counsel

for the State as well as learned counsel for the respondent-Corporation.

2. The petitioners being PDS dealers are aggrieved by letter no. 606 dated 06.08.2011 issued by the Block Development Officer, Tariyani District Sheohar by which the petitioners herein have been directed to deposit the price of the respective quantities of rice at the rate of Rs. 1370 per quintal, towards the value of the undistributed rice given to them respectively relating to the years 2001-02 to 2005-06 under Sampurn Gramin Rojgar Yojna.

3. At the very outset, the parties have expressed their agreement that the matter is covered by the judgment of this Court dated 21.09.2015 passed in CWJC No. 5638 of 2011 (*Raiful Azam & Ors. Vs. State of Bihar & others*) and analogous cases, whereby, inter alia, a Three-Member Enquiry Commission had been constituted for detailed enquiry into the matter with regard to the charges of retention of rice by PDS dealers. It is submitted that the facts and circumstances of the present case are similar and as such, learned counsel for the petitioners requests that the present writ petition may also be disposed on the same lines.

4. In the above view of the matter and with consent of the parties, this writ petition is disposed of in line with the judgment of this Court dated 21.09.2015 passed in CWJC No. 5638 of 2011

(*Raiful Azam & Ors. Vs. State of Bihar & others*) and analogous cases, which shall accordingly govern the cases of the present petitioners as well.

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(Vikash Jain, J)