

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15441 of 2011

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1. Smt. Fudena Devi, W/o Late Krishnadeo Sah, Resident of Ward No. 2, P.S. Sheohar, District Sheohar
 2. Smt. Sushila Devi, W/o Shri Anjani Kumar, Resident of Ward No. 8, P.S. Sheohar, District Sheohar
 3. Raj Mangal Mishra, S/o Late Mahakant Mishra, Vill. Kushahar, P.S. Tariyani, District - Sheohar
 4. Chandeshwar Singh, S/O Late Ramsurat Singh, Resident of Vill. Harnahi, P.S. Sheohar, District - Sheohar
 5. Amrendra Kumar, S/o Late Ram Chandra Prasad, Resident of Vill. Parahi, P.S. Sheohar, District - Sheohar
 6. Mazahar Hussain, S/o Sheikh Ibrahim, Vill. Garahia, P.S. Sheohar, District Sheohar
 7. Rooplal Ram, S/o Bhola Ram, resident of Vill. Pohar, P.S. Sheohar, 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, District Sheohar
3. The Deputy Development Commissioner, District Sheohar
4. The Sub Divisional Officer, District Sheohar
5. The Block Development Officer, Block - Sheohar, District Sheohar
6. The Officer In - Charge, Sheohar Police Station, District Sheohar

.... Respondents

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Appearance :

For the Petitioners : Mr. Gautam Kumar Kejriwal, Advocate

For the Respondents: Mr. Rajesh Kumar GP, 21

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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. 40 dated 27.07.2011 issued by the Block Development Officer, Sheohar 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.

(Vikash Jain, J)

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