

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6256 of 2014

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Sunil Kumar Choudhary, son of Jageshwar Lal Choudhary, Resident of Village -
Pokharia, P.O. Danauli Phulwaria, Via Lakhminia, P.S. Ballia, District - Begusarai
.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Food and Consumer Protection
Department, Bihar, Patna
2. District Magistrate, Begusarai
3. Sub-Divisional Magistrate, Ballia, Begusarai
4. Deputy Development Commissioner cum Chief Executive Officer, Begusarai
cum District Rural Development Agency, Begusarai
5. Block Development Officer, Ballia Block, District - Begusarai
6. Block Agriculture Officer, Ballia Block, Begusarai
7. Panchayat Secretary, Pokhariya Panchayat, Begusarai
8. Certificate Officer, Begusarai

.... Respondents

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Appearance :

For the Petitioner : Mr. Pravin Chandra Prasad, Advocate
For the Respondents: Mr. Manoj Kr. Ambastha, GP 14
Mr. Sanjay Kumar Pandey, AC to GP 14

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-01-2016

The present writ petition has been filed for quashing the
order dated 12.11.2013 passed by the Deputy Development
Commissioner-cum-Chief Executive Officer, D.R.D.A. (District
Rural Development Agency) *Begusarai* in Misc. Case No. 11 of
2013; as well as the Deputy Development Commissioner / B.D.O.
Ballia through which the petitioner has been directed to deposit the
price of 265.00 quintals of rice which was given to him under
S.G.R.Y. head at the rate of A.P.L. within fifteen days from the date
of notice which was left undistributed in the stock of petitioner who

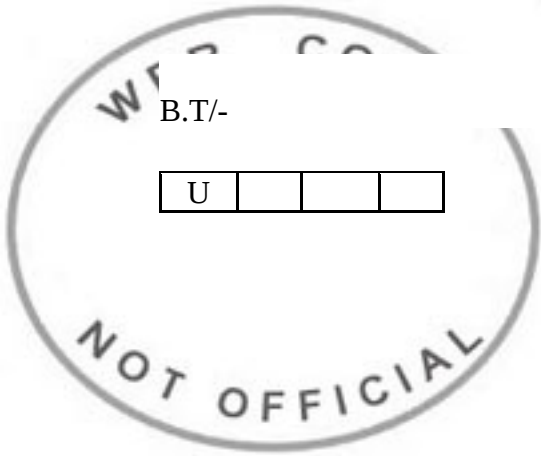
happens to be the licensee distributor under Gram Panchayat *Pokharia* of *Begusarai* District as well as the proceedings in Certificate Case No. 05 of 2011-12.

2. At the very outset, learned counsel for the petitioner invites attention to 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, thereby inter alia observing that a Three-Member Enquiry Commission had been constituted for detailed enquiry into the matter with regard to the charges on 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 petitioner requests that the present writ petition may also be disposed on the same line.

3. Learned counsel for the respondents accepts that the case of the petitioner may also be covered by the said judgment passed in CWJC No. 5638 of 2011 and analogous cases and there is no objection to the request of the petitioner.

4. In the above view of the matter and with consent of the parties, this writ petition is disposed of on the same directions and 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 and all the observations and directions

contained therein shall accordingly apply to the present case.



(Vikash Jain, J)