

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19775 of 2012

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Rameshwar Roy S/O Late Dharmdeo Roy R/O Village- M. Kuari, P.S.-
Dariyapur, District- Saran (Chapra)

..... Petitioner

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna
2. The Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna
3. The Secretary, Rural Engineering Department, Government of Bihar, Patna
4. The Commissioner, Saran Division, Chapra
5. The District Magistrate, Saran (Chapra)
6. The District Certificate Officer, Saran, Chapra
7. The Deputy Development Commissioner, Saran (Chapra)
8. The Block Development Officer, Dariyapur, Saran (Chapra)
9. The District Godown Manager, Saran (Chapra)
10. Shri Satrugan Kumar Sinha, the then Assistant Godown Manager Dariyapur, P.S.- Dariyapur, Distt.- Saran (Chapra)

..... Respondents

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Appearance:

For the Petitioner : Mr. Ram Kishore Singh, Advocate
Mr. Amit Kumar Singh, Advocate

For the Respondents : Mr. Neeraj Nandan, GP-20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-09-2016

Heard learned counsel for the petitioner and learned
counsel for the Respondents.

2. The present writ petition has been filed for setting aside
the order contained in memo no. 2545 dated 25.09.2012 issued under
the signature of the Deputy Development Commissioner, Saran
(Chapra) by which the petitioner being a PDS dealer, has been directed
to deposit Rs. 3,42,500/- towards the value of 250 quintals of food

grains @ Rs. 1,370/- per quintal within 15 days to the Block Development Officer, Dariyapur, Chapra (Saran) failing which appropriate legal action would be taken including by way of recovery of the amount through certificate proceedings.

3. 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 and Ors., vs. State of Bihar and Ors.,) 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.

4. 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.

5. 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 and Ors.) and analogous cases and all the observations and directions contained

therein shall accordingly apply to the present case.

(Vikash Jain, J)

Chandran/lbrar

AFR/NAFR	NAFR
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