

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No. 1019 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 10369 of 2014

Along with

Interlocutory Application No. 4252 of 2015

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M/s Sonu Food Products through its Proprietor Sugriv Gupta, Son of Ramavtar Gupta, Resident of village- Bandipur, P.S. Ramgarh, District- Kaimur.

.... Appellant/s

Versus

1. The State of Bihar
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd, Bihar, Patna.
3. The Collector, District- Kaimur.
4. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd, Bihar, Patna.
5. The Area Manager, Food Corporation of India, District Office, Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rajesh Kumar Mishra & Mr. Sourendra Pandey, Advocates
For the B.S.F.C.	:	Mr. Shailendra Kumar, Advocate
For the State	:	Mr. Ashish Kumar Lal, A.C. to G.A. 5

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 26-09-2016

Re.: Interlocutory Application No. 4252 of 2015

The application is for condonation of delay of 166 days

in filing of the appeal.

For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, the delay of 166 days in filing of the appeal is condoned.

Interlocutory Application stands disposed off.

Re.: Letters Patent Appeal No. 1019 of 2015

The present Letters Patent Appeal is directed against an order passed by the learned Single Bench of this Court on 23.07.2014 deciding the writ application in light of the order passed in C.W.J.C. No. 9133 of 2014 (M/s Shivam Mini Modern Rice Mill vs. The State of Bihar & Ors.) decided on 22.07.2014.

L.P.A. No. 1709 of 2014 against the said judgment stands decided vide judgment reported as 2015(4) PLJR 422 (Arvind Kumar vs. State of Bihar).

It is pointed out by learned counsel for the appellant that the order passed in Letters Patent Appeal has since been partly modified on 23rd August, 2016 in Civil Review No. 150 of 2015 (Rohit Rice Mill vs. The State of Bihar and Ors).

After hearing learned counsel for the parties, we find that the matter in issue is covered by the Arvind Kumar's case (supra).

The appeal is decided in terms of the said judgment and as modified by this Court in Civil Review No. 150 of 2015 (Rohit Rice Mill vs. The State of Bihar and Ors.) decided on 23rd August, 2016.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

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AFR/NAFR	NAFR
CAV DATE	N.A
Uploading Date	
Transmission Date	