

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.366 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 10110 of 2014
Along with
Interlocutory Application No. 1722 of 2015

=====

Madan Yadav, Prop. Kunal Rice Mill, S/o Sri Ramdeo Yadav, Prop. - Resident of village - Ahiraulia Ramgarhwa, P.O. Ahiraulia Ramgarhwa, P.S. Ramgarhwa, District - East Champaran, Prop.-Kunal Rice Mill, Village + P.O. Ahiraulia Ramgarhwa, District - East Champaran.

.... Appellant/s

Versus

1. The State of Bihar, through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna
2. The District Collector, East Champaran
3. The Sub-Divisional Officer, East Champaran
4. Bihar State Foods and Civil Supplies Corporation Limited through its Managing Director, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., East Champaran

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Krishna Mohan Mishra, Advocate.
For the State : Mr. Harish Kumar, GP 32
For the BSFC : Mr. Shailendra Kumar Singh, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 09-05-2016

Re.: Interlocutory Application No. 1722 of 2015

The application is for condonation of delay of 144 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 144 days in filing of the appeal is condoned.

Interlocutory Application stands disposed of.

Re.: Letters Patent Appeal No. 366 of 2014

The present Letters Patent Appeal is directed against an order passed by the learned single Bench on 23.07.2014 decided the writ petition in the light of the judgment of the learned single Bench in CWJC No. 9133 of 2014 (*M/s Shivam Mini Modern Rice Mill vs The State of Bihar & Ors*).

Learned counsel for the parties submit that similar orders passed by the learned single Bench were made the subject matter of challenge in Letters Patent Appeal No 1709 of 2014 and other analogous cases, wherein order of the learned single Bench has been upheld with certain other directions.

Since the parties agree that the order passed in Letters Patent Appeal No 1709 of 2014 is applicable to the facts of the present case, the present appeal is disposed of in terms of the order passed in Letters Patent Appeal No 1709 of 2014 (*Arvind Kumar vs. State of Bihar & Ors.*) decided on 17.04.2015. It is accordingly disposed of.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P. Kumar/Sujit

U			
---	--	--	--