

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17377 of 2011

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Jai Ram Paswan Son of Late Ganesh Paswan, Resident of Village - Musapur,
Police Station - Korha, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. The Department of Food and Civil Supply, Govt. of Bihar, Patna through its Principal Secretary.
3. The Deputy Development Commissioner-Cum-Executive Officer, D.R.D.A., Katihar.
4. The District Magistrate, Katihar.
5. The District Programme Officer, Katihar.
6. The Programme Officer, Korha, Katihar.
7. The Block Development Officer, Korha, Katihar.
8. The Gram Panchayat Raj, Korha Block (Musapur Panchayat), Katihar.
9. The District Certificate Officer, Katihar.

.... Respondents

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Appearance:

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the Respondents : Mr. P.K. Verma, AAG5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-08-2016

Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for the respondent-Corporation.

2. The petitioner being a PDS dealer is aggrieved by notice dated 15.07.2011 served upon him under Section 7 of the Bihar and Orissa Public Demands Recovery Act (for short "the PDR Act") issued by the District Certificate Officer, Katihar for recovery of an amount of Rs. 1,15,149/- in connection with the undistributed rice relating to the year 2004-05 under the Sampurna Gramin Rojgar Yojna(S.G.R.Y).

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. Learned counsel for the petitioner submits that the proceedings before the Three-Member Enquiry Commission are going on.

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)

Chandran/BT

AFR/NAFR	NAFR
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