

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17 of 2016

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Navneet Kumar son of Sri Nawal Kishore Singh resident of village & P.O. -
Kalyanpur, P.S. - Pipra, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food & Consumer Protection Department, Government of Bihar, Patna.
3. The Managing Director, the Bihar State Food and Civil Supplies Corporation Ltd. Sone Bhawan, Birchand Patel Path, Patna.
4. The Deputy Chief (Claims), the Bihar State Food and Civil Supplies Corporation Ltd., Sone Bhawan, Birchand Patel Path, Patna.
5. The District Magistrate, Patna.
6. The Additional District Magistrate (Supply), Patna.
7. The Certificate Officer-cum-Sub Divisional Officer/Magistrate Masaurhi, Patna.
8. The Executive Magistrate, Masaurhi, District - Patna.
9. The District Manager, the Bihar State Food and Civil Supplies Corporation, Patna.
10. The Anchal Adhikari, Punpun, District - Patna.
11. The Block Agriculture Officer-cum-In-Charge of Paddy Procurement Centre, Punpun Block, District - Patna.
12. The In-Charge of Paddy Procurement Centre, Nathupur, Phulwari Block, District - Patna.
13. The Block Agriculture Officer-cum-In-Charge of Paddy Procurement Centre, Punpun Block, District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. C. Mishra, Advocate.
For the Respondent-Corporation	:	Mr. A. N. Rai, Advocate.
For the State	:	Mr. Pawan Kumar, A.C. to G.A. 9.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 08-02-2016

Heard learned counsel for the parties.

The petitioner has moved the Court for quashing
of Distress Warrant issued against the petitioner by order dated
06.07.2015 by the Certificate Officer.

Learned counsel for the petitioner submits that
the respondent-Corporation had given him certain amount for

paddy and in return certain percentage of milled rice was to be supplied to the Corporation. However, there being dispute between the parties that on the one hand the petitioner wanted the Corporation to lift the rice or allow him to sell it in the open market and pay money and on the other hand the Corporation insisting that the petitioner had not supplied the mild rice within the time stipulated, led to initiation of Certificate proceeding. Learned counsel submits that the petitioner has filed objection before the Certificate Officer but without deciding the same, Distress Warrant has been issued.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, with the consent of the parties, the writ petition is disposed off with a direction to the respondent no. 7 to dispose off the objection filed by the petitioner in Certificate Case No. 04 of 2013-14 by a reasoned order after hearing the parties within three weeks from today.

Till then, the Distress Warrant issued against the petitioner shall be kept in abeyance.

(Ahsanuddin Amanullah, J.)

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