

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1745 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 8836 of 2013
Along with
Interlocutory Application No.7846 of 2015

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1. The Bihar State Food and Civil Supplies Corporation Limited, through its Chairman.
 2. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Nalanda.

.... Respondents- Appellants

Versus

1. Pawapuri Rice Mills, Chorsua, Pokharpur, P.S.- Giriyak, District- Nalanda through its Partner Dinesh Prasad Gupta, S/O Sri Ram Chandra Sao, resident of Village- Pokharpur, P.O.- Pawapuri, P.S.- Giriyak, District- Nalanda.

... ... Writ Petitioner-Respondent.

2. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
3. The District Collector/Magistrate, Nalanda.
4. The Sub-Divisional Officer, Rajgir, District- Nalanda.
5. The Area Manager, F.C.I, District- Nalanda.
6. The Secretary, Food Corporation of India, New Delhi.

.... Respondents-Respondents

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Appearance :

For the Appellant/s : Mr. Anjani Kumar, Senior Advocate
Mr. Shailendra Kumar Singh, Advocate

For the Respondent No.1 : Mr. Y. V. Giri, Senior Advocate
Mr. Krishna Mohan Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

C.A.V. JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 20-05-2016

Re.: Interlocutory Application No. 7846 of 2015

The application is for condonation of delay of 76 days in filing of the present appeal.

For the reasons mentioned in the application, we find that

sufficient cause is shown by the appellants to condone such delay. Consequently, the delay in filing of the present Letters Patent Appeal is condoned.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No. 1745 of 2015

The arguments were addressed by learned counsel for the parties in Letters Patent Appeal No.1576 of 2014 (The Bihar State Food and Civil Supplies Corporation Limited and Anr. *Versus* Sone Valley Rice Mill and Ors.) and other analogous cases. Letters Patent Appeal No.1576 of 2014 stands allowed for the reasons recorded therein.

In view of the said fact, the present Letters Patent Appeal is allowed for the same reasons as recorded therein and the writ application stands dismissed. There shall be no order as to costs.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	09.05.2016
Uploading Date	21.05.2016
Transmission Date	