

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.766 of 2012**

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1. Braj Kishore Roy @ Braj Kishore Pd. Roy, son of Late Julumdhari Roy,  
Resident of Village - Bhagwanpur, Panchayat - Fatehpurchain, P.S. Awatar Nagar,  
Block - Dariyapur, District Saran (Chapra)

.... .... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna
2. The Secretary, Department Of Food And Civil Supplies, Government Of Bihar, Patna
3. The Secretary, Rural Engineering Department, Government Of Bihar, Patna
4. The Commissioner, Saran Division, Chapra
5. District Magistrate, Saran (Chapra)
6. The District Certificate Officer, Saran, Chapra
7. The Deputy Development Commissioner, Saran (Chapra)
8. The Block Development Officer, Dariyapur, Saran (Chapra)
9. Shri S.K. Sinha, The Then Assistant Godown Manager, Dariyapur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Kishore Singh, Adv.

For the Respondent/s : Mr. Kaushal Kumar Jha, AAG-14

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 27-04-2016**

Heard learned counsel for the petitioner and the respondents.

2. The petitioner being PDS dealer is aggrieved by Letter No. 2262 dated 19.11.2011 issued by the Rural Development Department, Saran (Chapra) by which the petitioner herein has been directed to deposit the price of the respective quantities of rice at the rate of Rs. 914 per quintal, towards the value of the undistributed rice given to him respectively relating to the years 2001-02 to 2005-06 under

Sampurn Gramin Rojgar Yojna.

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 mater with regard to the charges of retention of rice by PDS dealers. It is submitted that the facts and circumstances of the present case are similar and as such, learned counsel for the petitioner requests that the present writ petition may also be disposed on the same lines.

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 petitioner as well.

(Vikash Jain, J)

Md. Ibrarul/-

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