

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15389 of 2011

Hans Pandey, son of Sri Rameshwar Pandey, Resident of Village Panchayat Raj
Ghorasahan North, Block - Ghorasahan, District - East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna
3. The District Magistrate-cum-Development Officer, East Champaran at Motihari
4. The Block Supply Officer, Ghorasahan, East Champaran
5. The Block Development Officer, Ghorasahan, East Champaran

.... Respondents

Appearance :

For the Petitioner : Mr. Ansul, Advocate

For the Respondents: Mr. S.S. Shabbar Hussain, GP4

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-03-2016

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

2. The petitioner being PDS dealer is aggrieved by demand notice issued by the Block Development Officer, Gharasahan, District East Champaran by which the petitioner has been directed to deposit the price of the respective quantities of rice at the rate of Rs. 1370 per quintal, towards the value of the undistributed rice given to him relating to the year 2007-08 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 matter 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)

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