

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.364 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 9690 of 2014**

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M/S Aniket Manish Mini Rice Mill through Proprietor, Hari Prasad Das, Son of
Late Sushil Kumar Das, resident of Khilkhirtola, P.O. Kanandighi, P.S.
Kanandighi, District - Uttar Dinajpur

.... Appellant

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Food & Consumer Protection Department, Govt. of Bihar, Patna
3. Managing Director, Bihar State Food & Civil Supply Corporation, Sone Bhawan, Birchand Patel Path, Patna
4. The Deputy Chief (Claim), the Bihar State Food & Civil Supply Corporation, Sone Bhawan, Birchand Patel Path, Patna
5. The District Magistrate, Araria
6. The District Manager, Bihar State Food & Civil Supply Corporation, Araria
7. The Area Manager, Food Corporation of India, District office, Araria
8. The District Manager, Food Corporation of India, District office, Farbishganj
9. The Area Manager, Food Corporation of India, District office, Farbishganj

.... Respondents

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Appearance :

For the Appellant : Mr. Shashi Bhushan Kumar, Advocate

For the Respondents :

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 10-05-2016

Re.:I.A. No. 1723 of 2015

The application is for condonation of delay of 25 days in

filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellant has shown sufficient cause to seek condonation of delay of 25 days in filing the present Letters Patent Appeal.

3. Consequently, Interlocutory Application No. 1723 of 2015 is allowed and delay of 25 days in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No. 364 of 2015

The order dated 23rd of July, 2014 passed by the learned Single Bench of this Court in C.W.J.C. No. 9690 of 2014 is subject matter of challenge in the present Letters Patent Appeal. The said writ application was decided on the basis of an order passed in C.W.J.C. No. 9133 of 2014 (M/s Shivam Mini Modern Rice Mill Vs. the State of Bihar & Ors.) on 22nd of July, 2014. Vide the aforesaid order, analogous cases were also decided. The Letters Patent Appeal bearing L.P.A. No. 1709 of 2014 (Arvind Kumar Vs. The State of Bihar & Ors.), arising out of one of the analogous case was decided by the Division Bench of this Court on 17th of April, 2015.

2. Learned counsel for the appellant states that the present appeal be also decided in terms of the directions in L.P.A. No. 1709 of 2014 and other analogous cases.

3. In view of the said fact, the present Letters Patent Appeal is disposed of in the same terms as contained in L.P.A. No. 1709 of 2014 and other analogous cases.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P.K.P./Anjani
N.A.F.R.

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