

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1718 of 2015

Arising out

Civil Writ Jurisdiction Case No. 7249 of 2014

Along with

Interlocutory Application No.7763 of 2015

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1. The Bihar State Food & Civil Supplies Corporation Limited, Patna
 2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Patna.
 3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Muzaffarpur, Patna.

.... Respondents- Appellant/s

Versus

1. M/s Muzaffarpur Modern Rice Mill through its partners namely-
 - (i) Md. Gyasuddin Ansari son of Yanusddin Ansari, resident of village Chhajan Harishankar, P.S. Turki, District-Muzaffarpur.
 - (ii) Ashok Kumar Rai, son of Manabo Rai, resident of village Chandua, P.S. Turki, Distict-Muzaffarpur.
 - (iii) Pintu Sah, son of Nathuni Sah, resident of village Kalwani (Chandban) P.O. Kalwani, P.S. Kanti, Muzaffarpur.
 - (iv) Md. Tanighur Rahman, son of Bhon Chatra resident of village Via Bar Chakia, P.S. Chakia, East- Champaran.
 - (v) Kiran Shankar Yadav, son of Ritlal Yadav, Rescource South Chakair Maidan Gobarsahi, Muzaffarpur.

.... Writ petitioner-Respondent/s

2. The State of Bihar, through the Secretary, Food and Civil Supply Corporation Limited, Bihar, Patna.
3. The District Magistrate, Muzafarpur.
4. The Certificate Officer-cum- Senior Deputy Collector Muzaffarpur, Bihar.

... ... Respondents- Respondents.

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Appearance :

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

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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. 7763 of 2015

The application is for condonation of delay of 89 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. 1718 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
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