

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.190 of 2015

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Bithouli Primary Agriculture Credit Society, R/o Village- Bithouli, P.O.- Bithouli, P.S.- Baheri, District- Darbhanga through its Secretary Vidyanand Rai, S/o- Sri Bashant Kumar Rai, R/o Village and P.O.- Bithouli, P.S.- Baheri, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Co-operative, Bihar, Patna
2. Principal Secretary, Department of Food and Consumer, State of Bihar, Patna
3. Managing Director, Bihar State Food and Civil Supplies Corporation, Bihar, Patna
4. District Magistrate, Darbhanga
5. Sub-Divisional Officer, Sadar, District- Darbhanga
6. District Co-operative Officer, District- Darbhanga
7. District Manager, SFC, District- Darbhanga
8. Circle Officer, Block- Baheri, District- Darbhanga
9. The Branch Manager, District Co-operative Bank, Darbhanga

.... Respondent/s

with

Civil Writ Jurisdiction Case No.915 of 2015

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Habidih South Primary Agriculture Credit Society office at Village- Bijulia, P.O.- Sher Bejulia, District- Darbhanga through its chairman Shailendra Prasad Singh S/O- Sri Kameshwar Singh R/o- Village- Bijulia, P.O.- Sher Bejulia, Biraul, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, State of Bihar, Patna.
2. The Principal Secretary, Department of Co-operative, State of Bihar, Patna.
3. The District Collector, District- Darbhanga
4. The Managing Director, Bihar State Civil Supplies Corporation, Patna
5. The Sub-Divisional Officer, Sadar District- Darbhanga
6. District Co-operative Officer, Darbhanga
7. The District Manager, Bihar State Civil Supplies Corporation, Darbhanga.
8. The Circle Officer, Block- Baheri, District- Darbhanga.
9. The Branch Manager, Bihar State Cooperative Bank Limited, Darbhanga.

.... Respondent/s

Appearance:

(In CWJC No.190 of 2015)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate

For the Respondent/s : Mr. Abbas Haidar, SC-16
 Mr. Ravish Chandra, AC to SC-16
 For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate
 (In CWJC No.915 of 2015)
 For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
 For the Respondent/s : Mr. Ajit Pratap Singh, SC-15
 For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

15 19-02-2016

Pursuant to the order of this Court supplementary affidavit has been filed in each of the two writ petitions in which the petitioners have admitted that the balance quantity so claimed for disposal at the hands of Corporation is not supported by enforcement certificate. Since the enforcement certificate is one of the basic requirements to support a valid purchase hence in view of the admission of the two petitioners that the balance stock is not supported by enforcement certificate, no indulgence can be granted to the petitioners nor any direction can be issued to the Corporation to lift the said stock.

The two writ petitions are disposed of. The petitioners may take recourse to such other mode for disposal of the paddy as is permissible in law.

(Jyoti Saran, J)

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