

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20923 of 2012

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Sunil Mandal son of Late Deep Narayan Mandal, resident of Village Vihpur, P.S.-
Bihpur, District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. The Deputy Development Commissioner, District Bhagalpur
3. The District Magistrate, Bhagalpur
4. The Block Development Officer Cum Programme Officer, Block- Bihpur,
District- Bhagalpur
5. The Panchayat Secretary, Bihpur Middle Jamalpur, P.S. Bihpur, District-
Bhagalpur
6. The Mukhiya, Bihpur Jamalpur, P.S. Bihpur, District- Bhagalpur
7. The District Certificate Officer, Bhagalpur, District Bhagalpur

.... Respondents

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Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate.
For the Respondents : Mr. Anil Kumar Singh, GP-26
Mr. Nawal Kishore Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 21-10-2016

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner being PDS dealer is aggrieved by memo
no. 41 dated 28.11.2011 issued by the Block Development Officer cum
Programme Officer, Block- Bihpur, District- Bhagalpur by which the
petitioner herein has been directed to deposit the rice 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 years 2002 to
2007 under Sampurn Gramin Rojgar Yojna and pursuant to the

aforesaid letter, demand notice dated 12.03.2011 has been issued against the petitioner.

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 C.W.J.C. 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 C.W.J.C. 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/BT

AFR/NAFR	NAFR
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