

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.225 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 9267 of 2014

Along with

Interlocutory Application No.854 of 2017

=====

Sachida Prasad Jaiswal, Son of Sri Kako Prasad Jaiswal, resident of Gulab Bag,
P.S. Sadar, District – Purnea.

.... Petitioner-Appellant/s

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 and 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, Supaul.
6. The District Manager, Bihar State Food & Civil Supply Corporation, Supaul.
7. The District Manager, Bihar State Food & Civil Supply Corporation, Purnea.

.... Respondents-Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Shashi Bhushan Kumar, Advocate

For the State : Mr. S. Raza Ahmad, AAG-5
Mr. Vishwambhar Pd., AC to AAG-5

For the BSFC : Mr. Shailendra Kumar Singh, Advocate
Mr. S. K. Sinha, Advocate

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH



ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 09-02-2017

Re.: Interlocutory Application No. 854 of 2017

The application is for condonation of delay of 2 years and 121 days in filing of the appeal.

For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, the delay in filing of the appeal is condoned.

Interlocutory Application stands disposed of.

Re.: Letters Patent Appeal No. 225 of 2017

The present Letters Patent Appeal is directed against an order passed by the learned Single Bench of this Court on 23.07.2014 deciding the writ application in light of the order passed in C.W.J.C. No. 9133 of 2014 (M/s Shivam Mini Modern Rice Mill vs. The State of Bihar & Ors.) decided on 22.07.2014.

L.P.A. No. 1709 of 2014 against the said judgment stands decided vide judgment reported as 2015(4) PLJR 422 (Arvind Kumar vs. State of Bihar).

It is pointed out by learned counsel for the appellant that the order passed in Letters Patent Appeal has since been partly modified on 23rd August, 2016 in Civil Review No. 150 of 2015 (Rohit Rice Mill vs. The State of Bihar and Ors.).



After hearing learned counsel for the parties, we find that the matter in issue is covered by the Arvind Kumar's case (supra).

The appeal is decided in terms of the said judgment and as modified by this Court in Civil Review No. 150 of 2015 (Rohit Rice Mill vs. The State of Bihar and Ors.) decided on 23rd August, 2016.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R
CAV DATE	N. A.
Uploading Date	11.02.2017
Transmission Date	

