

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15762 of 2016

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1. Bimal Prasad Sah Son of Late Dr. Ram Roop Prasad resident of Village- Kasba, P.S.- Kasba, District- Purnea, Proprietor of M/s Prasad Rice Mill, Main Road Kasba, Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Patna.
4. The District Magistrate, Purnea.
5. The District Manager, Bihar State Food and Civil Supplies Corporation, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the State : Mr. Md. A Haque, AC to AAG 5
For BSFC : Mr. Aditya Prakash Sahay, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner submits that present case is covered by the order dated 28.6.2016 passed in C.W.J.C. No. 10021 of 2016 as issues in the present case are identical to the aforesaid case and makes a prayer that present case should be disposed of in the same term as that of the aforesaid case.

The petitioner is a Miller and raises a grievance against the action of the respondent-Corporation in not making payment of the dues towards the milling, handling and



transportation of Custom Milled Rice (hereinafter referred to as the 'CMR') amount to Rs.35,29,113/- as well as payment of Rs.2,00,000/- deposited by the petitioner as Bank security.

Petitioner has filed a representation which is pending before the authority concerned. The authority will examine the case of the petitioner and if it is found that petitioner has supplied CMR proportionate to the paddy certainly petitioner should be given the benefit of milling, handling and transportation charges. The authority will examine the case of the petitioner and take a decision in accordance with law within a period of three months from the date of receipt/production of a copy of this order. If the authority arrives to a finding that petitioner is entitled to any amount that will be paid to him without unnecessary delay not beyond three months and if the authority arrives to a finding that petitioner is not entitled to any amount then he will look into the matter and after hearing the petitioner pass necessary order within the stipulated period.

With the aforesaid observation this writ petition is disposed of.

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(Shivaji Pandey, J)

