

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1248 of 2016

IN

Civil Writ Jurisdiction Case No. 11456 of 2015

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Smt. Bina Devi, wife of Kul Prakash Proprietor, M/s Maa Vindhyavasini Rice Mill, Rani Talab, Bikram, Gona, P.S. Bikram, District Patna.

.... Petitioner

Versus

1. Anjani Kumar Singh, the State of Bihar through Its Chief Secretary, Government of Bihar, Patna.
2. Pankaj Kumar Pal, The Bihar State The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Patna.
3. Pankaj Kumar Pal, The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Sone Bhawan, 5th Floor, Birchand Patel Marg, Patna.
4. Uday Pratap Singh, the District Manager, Bihar State Food & Civil Supplies Corporation Limited, Patna.
5. Sanjay Kumar Agarwal, the Collector-cum-District Magistrate, Patna.
6. Manoj Kumar, the Additional District Magistrate (Supply), Patna Collectorate, Patna.
7. Binod Kumar Singh, the Certificate Officer-cum-Sub Divisional Officer, Paliganj, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Sumeet Kumar Singh, Mr. Abhiprav Singh Mr. Satyendra Prasad Singh, Advocates
For the State	:	Mr. Jitendra Kumar, AC to AAG 14
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-02-2017

Heard the parties.

2. The petition has been filed alleging deliberate violation of the order of this Court dated 04.08.2015 passed in CWJC No. 11456 of 2015 requiring the authorities to consider the petitioner's case and taking decision at their end.

3. Learned counsel for the petitioner submits that pursuant to the order of this Court dated 04.08.2015 passed in CWJC



No. 11456 of 2015, the petitioner approached the Certificate Officer for grant of statement of accounts along with other documents. It is now stated that a copy of the certificate as well as requisition have not been supplied to the petitioner and hence, the order of this Court has been deliberately violated.

4. A perusal of the order dated 04.08.2015, as modified by the subsequent order dated 25.08.2015, discloses that the petitioner was granted liberty to file her objection petition under Section 9 of the Bihar & Orissa Public Demands Recovery Act (for short, "the Act") within a period of three weeks from the date of supply of requisite documents to the petitioner in the backdrop of the petitioner's grievance that the requisite statement of accounts had not been supplied to her to enable her to file a meaningful objection petition under Section 9 of the Act.

5. Mr. P.K. Verma, learned Additional Advocate General No.3 appearing on behalf of the opposite parties, submits that the order of this Court has duly been complied with. He invites attention to the order sheet dated 22/23.02.2016 in the certificate proceeding whereby the statement of accounts was duly supplied to the petitioner as acknowledged by her counsel on 24.02.2016 in the margin. The petitioner thereafter filed her objection petition under Section 9 of the Act on 29.02.2016 which has been disposed of by the Certificate Officer on 02.03.2016.



6. In the above view of the matter , this Court is satisfied that the order of this Court had merely required that the petitioner be supplied with the statement of accounts prior to filing of the objection petition under Section 9 of the Act. This has been duly supplied to the petitioner, which is also not disputed by the petitioner. The order of this Court thus stands duly complied with.

7. In view of these materials as noticed above, this Court is of the view that supplementary show cause, as called for by order dated 07.12.2016, would not be required.

8. The contempt petition accordingly stands disposed.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.02.2017
Transmission Date	N.A.

