

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10726 of 2016

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1. Ghanshyam Prasad Son of Mahavir Prasad resident of Chanpatia, P.S. Chanpatia, District - West Champaran

.... 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 Deputy Chief (Claim), Bihar State Food and Civil Supplies Corporation Ltd., Patna
5. The District Magistrate, West Champaran
6. The District Magistrate, Westt Champaran
7. The District Manager, Bihar State Food and Civil Supplies Corporation, West Champaran
8. Ajay Prasad Son of Sri Lalan Prasad resident of Shisawa, P.S. Bairiya, District - West Champaran, Proprietor Prakash Enterprises, Makhua Chowk, Ojhaulia, Bairiya, West Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.
For the State : Mr. Md. A. Haque, AC to AAG 5
For the 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.10,65,222 /- 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.

Vinay/-

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(Shivaji Pandey, J)

