

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.55 of 2017
Arising out of
Civil Writ Jurisdiction Case No. 9225 of 2014

=====

Panna Lal Das, Son of Late Bindeshwari Das, resident of Village- Nand Gram,
P.S.- Dhamdaha, District- Purnea.

.... Appellant

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

.... Respondent/s

=====

Appearance:

For the Appellant/s : Mr. Shashi Bhushan Kumar, Advocate.
For the BSFC : Mr. Shailendra Kumar Singh, Advocate.
For the State : Mr. Vishwambhar Prasad, AC to AAG-V.

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
And
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 18-01-2017

Re.: Interlocutory Application No.198 of 2017

This application is for condonation of delay of 2 years
and 96 days in filing the Letters Patent Appeal.

For the reasons mentioned in the Interlocutory
application, we find that sufficient cause is made out for condonation
of delay. Consequently, Interlocutory Application is allowed and
delay in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No. 55 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 in C.W.J.C. No. 9225 of 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.

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

3. 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 of August, 2016 in Civil Review No. 150 of 2015 (*Rohit Rice Mill vs. The State of Bihar and Ors.*).

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

5. 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 of August, 2016.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra/-

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

