

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.264 of 2017
Arising out of
Civil Writ Jurisdiction Case No. 9737 of 2014
Along with
Interlocutory Application No.1032 of 2017**

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Anamika Rice Mill through Shatrughan Prasad, son of Late Banilal Sah, resident of Belwamore, P.O.- Padraam, P.S.-Gaunaha, District-West Champaran (Bettiah).

.... Petitioner- Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Civil Supplies Corporation Limited, Bihar, Patna.
2. The Bihar State Food and Civil Supplied Corporation Limited, Patna
3. The Managing Director, Bihar State Food and Civil Supply Corporation Limited, Patna.
4. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, West Champaran, (Bettiah).
5. The District Magistrate, West Champaran (Bettiah).
6. The Certificate Officer-cum-Senior Deputy Collector, West Champaran (Bettiah).

....Respondents/ Respondents

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Appearance :

For the Appellant/s	:	Mr. Shashi Bhushan Kumar, Advocate Ms. Arti Kumari, Advocate
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Vishwambhar Pd., AC to AAG-5

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
And
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 15-02-2017**

Re.: Interlocutory Application No. 1032 of 2017

The application is for condonation of delay of 2 years and 174



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 off.

Re.: Letters Patent Appeal No. 264 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	NA
Uploading Date	17.02.2017
Transmission Date	

