

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.6821 of 2017**

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1. Pravin Agrawal Son of Late Bajranga Prasad Agrawal Resident of Village- Raiganj, P.S.- Raniganj, District- Uttar Dinajpur West Bengal, Age- 35.
  2. Nimai Ghatak, Son of Pabitra Ghatak, Resident of Village+ P.O.- Tungidighi, P.S.- Karandighi, District- Uttar Dinajpur West Bengal, Age- 46.
  3. Shyam Kamal Kundu, Son of Late Bholanath Kundu Resident of Village+ P.O.- Tungidighi, P.S.- Karandighi, District- Uttar Dinajpur West Bengal, Age- 58.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Civil Supply Department.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Bihar, Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd Katihar, District Katihar.
4. The District Certificate Officer District Katihar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Uday Prakash Shharma, Adv.  
For the Respondent/s : Mr. S. Raza Ahmad- AAG5  
Mr. Alok Ranjan, AC to AAG-5  
For the BSFC : Mr. Nirmal Kr., Adv.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 18-10-2017**

Heard learned counsel for the petitioners and counsel for  
the State.

There is no need to dispose of this writ application on  
merit as the District Manager, Bihar State Food and Civil Supplies  
Corporation Limited, Katihar has filed an appeal bearing Certificate  
Appeal Case No. 149 of 2017-18 which is pending before the  
Appellate Authority.

As the matter is pending before the Appellate Authority,



in that view of the matter, it will not be prudent for this Court to adjudicate this case on merit but, till disposal of the appeal by the Appellate Authority, the Authority will neither take any coercive action against the petitioners nor will ask the petitioners to furnish bank guarantee which is impugned in the present writ application.

It goes without saying that the petitioners will cooperate in the early disposal of the case.

With the aforementioned observation, this writ application is disposed of.

**(Shivaji Pandey, J)**

Rishi/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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