

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3995 of 2017

=====

Kewat Sah S/o- Ramlakhan Shaw @ Lakhan Shaw R/o- Mohalla Banhara,
Amarpur, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Consumer Protection Department, Bihar, Patna.
2. The District Collector, District- Banka.
3. The Managing Director, Bihar State Food and Corporation, Patna.
4. The Sub Divisional Officer, Banka Sub Division, District Banka.
5. The District Manager Bihar State Food Corporation, District- Banka.
6. The Circle Officer, Amarpur, P.S. Amarpur, District - Banka.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Respondent/s : Mr. Arvind Ujjwal-Sc4

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is challenging the order dated 19th May 2013 (Annexure-1) whereby and whereunder the District Magistrate, Banka has directed to open the seal of the godown, which was subject matter of C.W.J.C. No. 19605 of 2015, has been disposed of, vide order dated 21.11.2013, The order is as follows:-

“It is submitted by the learned counsel for the petitioner that petitioner is ready to clear the dues of the Bihar State Food Corporation Ltd (hereinafter referred to as the Corporation). However, the grievance is that his godown has been



locked and sealed and, hence, he is unable to sell the food-grains lying in the said godown and clear the dues of the Corporation in cash with the sale proceeds.

Learned Senior Counsel for the Corporation submits that the Corporation is ready to open the godown but the petitioner must give an undertaking before hand that he will liquidate the dues of the Corporation within a fixed time.

This writ application is, accordingly, disposed of with liberty to the petitioner to file an application before the authorities of the respondent Corporation giving an undertaking about the time limit within which he would clear the dues of the Corporation in cash. If the authorities are satisfied with the application of the petitioner, they shall open his godown and will permit him to sell the articles laying in the godown and clear their dues from the price they receive and/or from the own resources also within the time limit fixed.

In pursuance of direction of this Court, the petitioner has filed an application on 21.06.2014 along with an affidavit and he submits that even after lapse of about three years, no order has been passed by the District Manager, B.S.F.C.

As the affidavit and the application has already been filed, the District Manager, B.S.F.C., will take decision within eight weeks from the date of receipt/production of a copy of this



order.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

U			
---	--	--	--

