

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2148 of 2015

IN

Civil Writ Jurisdiction Case No. 10751 of 2014

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Smt. Sushila Devi, wife of Bharat Kumar Yadav, resident of village - Chukti,
Police Station - Mansi, District - Khagaria

.... Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate, Khagaria
3. Bihar State Food and Civil Supply Corporation, Patna through its Managing Director, Sone Bhawan, Bir Chand Patel Marg, Patna.
4. The District Manager, State Food Corporation, Khagaria
5. The Deputy Chief Bhandaran, Mukhyalaya, Sone Bhawan, Bir Chand Patel Marg, Patna.
6. The House Controller - cum - S.D.O. Khagaria

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Anil Kumar, Advocate
For BSFC	:	Mr. Anjani Kumar, Sr. Advocate Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Birju Prasad, GP-13 Mr. Ashok Kumar, AC to GP-13 Mr. Amresh, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 09-03-2017

Heard learned counsel for the appellant and learned
counsel for the respondent-Corporation.

The learned Single Judge has refused to exercise his
jurisdiction in matter of payment of so called arrears of rent for
godowns which purportedly had been hired by the Corporation for
storage purposes.



The learned Single Judge took note of the fact that there was no agreement which was produced before the Court. There was dispute with regard to hire and the number of godowns which were hired and for the rent or the rate on which such payment was required to be made, was a matter which was adjudicated by the House Controller. If in this jumble of facts the learned Single Judge has refused to exercise his jurisdiction under Article 226 of the Constitution of India, he did no wrong. The appellant is not remediless.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

S.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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