

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10550 of 2017

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Radhey Shyam Sharma @ Radhe Shyam Sharma, son of Late Brij Nandan Singh,
Resident of Village- Mananpur, P.S.- Ghoshi, District- Jehanabad.

.... Petitioner/s

Versus

1. Collector, Jehanabad.
2. Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
3. District Director, Bihar State Food and Civil Supplies Corporation, Jehanabad.
4. District Certificate Officer, Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjan Kumar Sharan, Adv.
For the BSFC : Mr. Shailendra Kumar Singh, Adv.
For the State : Mr. Lalan Kumar, AC to GP9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 27-07-2017

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

In this case, the petitioner has raised an objection that
without serving any notice of Certificate Case No. 16/2015-16, he has
been arrested on account of non-depositing of Rs. 36,43,483/-.

The petitioner being a rice miller has entered into agreement
with the State, he was supplied 3000 quintals of paddy for milling and
the petitioner was required to return at the rate of 67% CMR but he
has failed to return the quantity of rice.

The authority calculated the cost of the CMR which comes
to Rs. 36,43,483/- and initiated a proceeding for recovery of the same.



From the record, it appears that the petitioner has refused to receive the notice but learned counsel for the petitioner submits that in reality, he was never served notice, straightway he has been taken into custody.

Be that as it may, let the petitioner be released on bail to the satisfaction of Certificate Officer, Jehanabad.

The petitioner is also directed to file objection within a period of three weeks from today.

If an objection is filed by the petitioner, the B.S.F.C. will call upon him to give reply, after completion of the pleadings as also giving an opportunity of hearing to both the parties, he will decide the case by passing a reasoned order in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2017
Transmission Date	NA

