IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13518 of 2011

==========

1. Ashok Kumar, (Public Distribution System Dealer-Panchayat Machhagar-Lachhiram) S/O Late Chandradeo Yadav R/O Vill.-Barheyan Tola, Barauli, P.S.-Mirganj, Distt.-Gopalganj.
2. Chandra Bhusan Giri, (Public Distribution System Dealer-Panchayat Pararia) S/O Shri Amrit Giri R/O Vill.-Malpura, P.S.-Kateya, Distt.-Gopalganj.
3. Pratibha Devi, (Public Distribution System Dealer-Panchayat Karkatahan) wife of Sanjay Kumar Rai R/O Vill.-Belahi, P.S.-Kateya, Distt.-Gopalganj.
4. Parshu Ram Prasad Rai, (Public Distribution System Dealer-Panchayat Simrao) S/O Bhriguwashram Rai R/O Vill.-Bigahibaribhas, P.S.-Mirganj, Distt.-Gopalganj.
5. Vijay Kumar Pandey, (Public Distribution System Dealer-Panchayat Singaha) S/O Late Ramkhilawan Pandey R/O Vill.-Nayagaon Tulasian, P.S.-Mirganj, Distt.-Gopalganj.
6. Ramsewak Yadav, (Public Distribution System Dealer-Panchayat Fatehpur) S/O Late Nathuni Yadav R/O Vill.-Fatehpur, P.S.-Mirganj, Distt.-Gopalganj.
7. Chandrama Choudary, (Public Distribution System Dealer-Panchayat Khairatia) S/O Late Yamuna Choudhary R/O Vill.-Mishrauli Tola, Mustoli, P.S.-Mirganj, Distt.-Gopalganj.
8. Vireswar Rai, (Public Distribution System Dealer-Sohagpur) S/O Late Gauri Shankar Rai, R/O Vill.-Nayagaon, P.S.-Hathua, Distt.-Gopalganj.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Deptt., Govt. of Bihar, Patna.
2. Principal Secretary, Rural Development Deptt., Govt. of Bihar, Patna.
3. Secretary, Food and Consumer Protection Deptt., Govt. of Bihar, Patna.
4. District Magistrate, Gopalganj, Distt.-Gopalganj.
5. Deputy Development Commissioner Gopalganj, Distt.-Gopalganj.
6. Superintendent Of Police Gopalganj, Distt.-Gopalganj.
7. The Sub Divisional Officer Hathua, Distt.-Gopalganj.
8. Programme Officer Hathua, Distt.-Gopalganj.
9. Programme Officer Kateya, Distt.-Gopalganj.
10. The Block Development Officers Hathua Block, Distt.-Gopalganj.
11. The Block Development Officers Kateya Block, Distt.-Gopalganj.
12. The Officer-In-Charge P.S. Mirganj, Distt.-Gopalganj.
13. The Officer-In-Charge P.S. Keteyan, Distt.-Gopalganj.

.... Respondents

==========

Appearance :

For the Petitioners : Mr. Awanish Kumar Pandey
Mr. Sanjay Kumar Pandey, Advocates.

For the Respondents : Mr. Gautam Bose, AAG-3

WEB COPY

==========

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-10-2018

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

2. The present writ petition has been filed for quashing letter no. 7848 dated 30.06.2011 issued by the Principal Secretary, Rural Development Department, Govt. of Bihar, Patna, letter dated 01.08.2011 issued by District Magistrate, Gopalganj and Memo No. 1109 (8-13/06-11) dated 02.08.2011 issued by Deputy Development Commissioner, Gopalganj relating to fixation of price of food grains under Public Distribution System in an arbitrary manner and the list containing the amount due against the petitioners for recovery @ Rs. 1370 per quintal and order for lodging F.I.R. against the alleged defaulters including the petitioners.

3. Learned counsel for the petitioners states that pursuant to the orders of this Court, the Enquiry Commission headed by Hon'ble Mr. Justice Udai Sinha (Retired) has now submitted its report and any further action in relation to recovery of the value of undistributed rice under the SGRY Scheme would abide by the decision of the State Government to be taken on the basis of such report.

4. In the above view of the matter, learned counsel for the petitioners seeks permission to withdraw the present writ petition

WEB COPY

with liberty to approach this Court afresh as and when the occasion arises in future.

5. Having regard to the stand of the petitioners, the writ petition stands disposed of with the aforesaid liberty.

6. Let the authorities refrain from taking coercive measures against the petitioner until decision is taken by the State Government, as aforesaid.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	08.10.2018
Transmission Date	N.A.

WEB COPY