

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18578 of 2015

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Somiya Saroj, Son of Bhushan Kumar, Resident of village- Maruwaha, Police Station- Madhepura, District Madhepura. Proprietor of Somiya Saroj Rice Mills Maruwaha, P.S. & District Madhepura.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Managing Director, The Bihar State Food and Civil Supplies Corporation, Sone Bhawan, Birchand Patel Path, Patna.
4. The Deputy Chief (Claim), The Bihar State Food and Civil Supplies Corporation, Sone Bhawan, Birchand Patel Path, Patna.
5. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Madhepura.
6. The Area Manager, Food Corporation of India, District Officer, Madhepura.
7. The District Certificate Officer, Madhepura.

.... Respondents

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Appearance :

For the Petitioner : Mr. Raja Surendra Mohan, Advocate.
For the Respondents : Mr. Vishwa Ranjan Choudhary
Mr. Krishna Kant Tiwari, AC to SC-27
For the BSFC : Mr. Nirmal Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-09-2018

The present writ petition has been filed for the following reliefs –

“(i) For issuance of writ/writs, order/orders, direction/directions in the nature of certiorari for quashing the Certificate Case No. 18/2014-15 dated 25.07.2014 (Annexure-2) the Certificate case was filed by the District Manager, Bihar State Food and Civil Supplies Corporation Limited, Madhepura against the petitioner whereby and whereunder in the Certificate Case on 09.05.2015 the District Certificate Officer, Madhepura has issued the Distress warrant against this petitioner for recovery of the alleged amount of Rs. 93,87,702/- (ninety three lac eighty



seven thousand seven hundred two only) for initiating certificate proceeding though the certificate case.

(ii) For further quashing the impugned order dated 09.05.2015 initiating the certificate proceeding through the certificate case no. 18 of 2014-15 has been initiated by the District Manager, Bihar State Food and Civil Supplies Corporation Limited, Madhepura.

(iii) For stay the further proceeding of certificate case no. 18 of 2014-15 during the pendency of the writ petition.

(iv) For any other relief/reliefs, order/orders, direction/directions may deem fit and proper in the facts and circumstances of this case.”

2. Learned counsel for the petitioner states in paragraph-12 of the writ petition that the objection petition has been filed by the petitioner.

3. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the Certificate Officer, Madhepura (respondent no. 7) to consider and dispose of the objection petition filed by the petitioner, if still pending, in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.09.2018
Transmission Date	N.A.

