

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1082 of 2018

In

Civil Writ Jurisdiction Case No.12724 of 2017

Fair Price Dealers Association, through its Deputy Secretary of Begusarai District, Abdul Zabbar, Son of Late Molwi Shekhawat Hussain, Resident of Village and Post-Maida Babhangama, P.S.-Birpur, District-Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar Through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Additional Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
3. The District Magistrate, Begusarai, District-Begusarai.
4. The Sub-Divisional Officer, Begusarai, Teghra and Balia, District-Begusarai.

... .. Respondent/s

with

Letters Patent Appeal No. 1100 of 2018

In

Civil Writ Jurisdiction Case No.14613 of 2017

Fair Price Dealers Association, through its Sub - Divisional Secretary Sanjay Kumar Labh, S/o Late Shreekant Labh, R/o Vill.- Dudhpura, P.O.- Mangalgarh, P.S.- Hasanpur, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Additional Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
3. The Collector, Samastipur, District- Samastipur.
4. The Sub - Divisional Officer, Rosara, District- Samastipur.

... .. Respondent/s

Appearance :

(In both the Appeals)

For the Appellant/s : Mr. Rajeev Kumar Labh, Advocate

For the Respondent/s : Mr. S.Raza Ahmed -AAG 5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Date : 20-08-2018

1. We have heard learned counsel for the respective parties. We have also perused and considered the impugned orders as well as a detailed judgment and order dated 03.04.2018 passed by the learned Single Judge in Civil Writ Jurisdiction Case No.10989 of 2017, which has been followed by the learned Single Judge while passing the impugned orders.

2. Considering the detailed judgment and order dated 03.04.2018 passed by the learned Single Judge in CWJC No.10989 of 2017, which as such has attained finality, the learned Single Judge held that the petitions at the instance of the Association shall not be maintainable and if any individual is having any grievance, they can challenge the same. We are in complete agreement with the view taken by the learned Single Judge.

3. It is required to be noted that the judgment and order dated 03.04.2018 passed by the learned Single Judge in Civil Writ Jurisdiction Case No.10989 of 2017 which was also preferred by the very petitioner-Fair Price Dealers Association, has attained finality and the same is not challenged by the petitioner and, therefore, as such the said decision is binding to the appellant-original petitioner.



4. We see no reason to interfere with the orders passed by the learned Single Judge. Hence, the present Letters Patent Appeals deserve to be dismissed and are, accordingly, dismissed.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.08.2018
Transmission Date	

