

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19871 of 2011

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Suresh Paswan Son Of Late Sahdev Paswan Resident Of Village - Bind P.S. -
Mirachak, District - Nalanda

.... Petitioner

Versus

1. The State Of Bihar
2. The Deputy Development Commissioner District Nalanda
3. The Block Development Officer Block - Bind, District - Nalanda
4. The Panchayat Secretary, Mirachak, P.S. - Mirachak District Nalanda
5. The Mukhiya, Mirachak P.S. - Mirachak District Nalanda
6. The District Engineer Nalanda

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Anjani Kr. Sharan, SC-9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-10-2018

As none appeared on behalf of the petitioner, the matter was passed over for a few cases. However on repeat call, the petitioner was against not represented.

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

“(i) For the issuance of a rule in the nature of writ of certiorari for quashing the order dated 02.08.2011 passed by respondent no. 6, the District Engineer, District- Nalanda, respectively whereby and whereunder the petitioner has been directed to deposit price of the balance rice weighing 815.28 quintals at the rate of Rs. 1370/- per quintal within 3 days of the receiving of the aforesaid order which was allotted to the petitioner under S.G.R.Y. (hereinafter referred to as the Schemes) failing which an F.I.R. would be lodged against them.



(ii) For the issuance of a rule in the nature of writ of Mandamus commanding the respondent authorities to follow the conditions incorporated in the allotment orders and not to realize price of the balance rice from the petitioner inasmuch as neither in the aforesaid scheme nor in the allotment orders there was a condition that for the remaining rice, any penalty or price would be charge from the dealers.”

3. Learned counsel for the respondents appears and states that 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. Having regard to the stand of the respondents, the writ petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/-

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