

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.817 of 2016

In
Civil Writ Jurisdiction Case No.15203 of 2015

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Jieuri Primary Agriculture Credit Society (PACS) at Jieury P.S.
Pakribarawan District Nawada through Chairman SRi Deo Narain Singh S/o
Late Ramkishun Singh R/o vill. - Dumri, P.S. Pakribarawan, District -
Nawada

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna
2. Principal Secretary Ltd., Food and Civil Supply Department, Govt. of Bihar at Patna Bihar at Patna
3. The Bihar State Food and Civil Supply Department Govt. of Bihar At Patna
4. The Managing Director, the Bihar State Food and Civil Supply Corporation Ltd. Bihar at Patna
5. The District Magistrate, Nawada
6. Additional District Magistrate, Nawada
7. District Supply Officer, Nawada
8. The District Co - Operative officer, Nawada Cum M.D. Nawada Central Co - Operative Bank, Nawada
9. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Nawada At Nawada
10. The In Charge, Bihar State Food Corporation, Procurement Centre at Pakribarawan Nawada
11. The Enforcement Officer for Paddy Cum Block Development Officer Pakribarawan Block Pakribarawan Bhojpur

... .. Respondent/s

with

Letters Patent Appeal No. 1237 of 2016

In
Civil Writ Jurisdiction Case No.14618 of 2015

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Prathmik Krishi Sakh Sahyog Samiti, Devangadh, Kauwakol, Nawada
through the Chairman namely Upendra Kumar, Son of Bindeshwari Paswan,
Resident of Bhorambagh, P.S.- Kauwakol, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food & Civil Supplies Corporation, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food & Civil Supplies Corporation, Government of Bihar, Patna.
3. The Principal Secretary, Department of Co-operative, Government of Bihar, Patna.
4. The Bihar State Food & Civil Supplies Corporation through its Managing Director, Patna.



5. The Managing Director, Bihar State Food & Civil Supplies Corporation, Patna.
6. The Director Magistrate, Nawada.
7. The District Manager, Bihar State Food and Civil Supplies Corporation, Nawada.
8. The District Co-operative Officer, Nawada.
9. The District Supply Officer, Nawada
10. The Branch Manager (I/C), Nawada Central Co-operative Bank, Kauwakol Branch, Nawada

... .. Respondent/s

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with

Letters Patent Appeal No. 901 of 2016

In

Civil Writ Jurisdiction Case No.15223 of 2015

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Datraul Primary Agriculture Credit Society (P A C S) at Datraul P.S. Pakribarawan District Nawada through its Chairman Shravan Kumar s/o Rajendra Singh R/o Village - Kurhetta, P.S. Pakribarawan District Nawada.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar at Patna.
2. Principal Secretary Ltd., Food and Civil Supply Department, Govt. of Bihar at Patna.
3. The Bihar State Food and Civil Supply Department Govt. of Bihar at Patna.
4. The Managing Director, the Bihar State Food and Civil Supply Corporation Ltd. Bihar at Patna.
5. The District Magistrate, Nawada.
6. Additional District Magistrate, Nawada.
7. District Supply Officer, Nawada.
8. The District Co-operative Officer, Nawada cum M.D. Nawada Central Co-operative Bank, Nawada.
9. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Nawada at Nawada.
10. The In Charge, Bihar State Food Corporation, Procurement Centre at Pakribarawan, Nawada.
11. The Enforcement Officer for Paddy cum Block Development Officer, Pakribarawan, Nawada.

... .. Respondent/s

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with

Letters Patent Appeal No. 809 of 2016

In

Civil Writ Jurisdiction Case No.15301 of 2015

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Pokshi Primary Agriculture Credit Society (P A C S) at Pokshi, P.S. Pakribarawan District Nawada through Chairman Sri Ranjit Kumar Singh S/o



Sri Ram Naresh Singh R/o Village Keshori, P.S. Pakaribarawa, District Nawada.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar at Patna.
2. Principal Secretary Ltd., Food and Civil Supply Department, Govt. of Bihar at Patna.
3. The Bihar State Food and Civil Supply Department Govt. of Bihar at Patna.
4. The Managing Director, the Bihar State Food and Civil Supply Corporation Ltd. Bihar at Patna.
5. The District Magistrate, Nawada.
6. Additional District Magistrate, Nawada.
7. District Supply Officer, Nawada.
8. The District Co-operative Officer, Nawada cum M.D.Nawada Central Co-operative Bank, Nawada.
9. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Nawada at Nawada.
10. The In-charger, Bihar State Food Corporation , Procurement Centre at Pakribarawan Nawada.
11. The Enforcement Officer for Paddy cum Block Development Officer, Pakribarawan, Nawada.

... .. Respondent/s

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with

Letters Patent Appeal No. 807 of 2016

In

Civil Writ Jurisdiction Case No.15238 of 2015

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Kabla Primary Agriculture Credit Society (P A C S) at Kabla, P.S. Pakaribarawan District Nawada through Chairman NawalKumar S/o Sri Nand Kishore Singh R/o village Kabla, P.S. Pakaribarawan, District Nawada.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Govt. of Bihar at Patna.
2. Principal Secretary Ltd., Food and Civil Supply Department, Govt. of Bihar at Patna.
3. The Bihar State Food and Civil Supply Department, Govt. of Bihar at Patna.
4. The Managing Director, the Bihar State Food and Civil Supply Corporation Ltd. Bihar at Patna.
5. The District Magistrate, Nawada.
6. Additional District Magistrate, Nawada.
7. District Supply Officer, Nawada.
8. The District Co-operative Officer, Nawada cum M.D.Nawada Central Co-operative Bank, Nawada.
9. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Nawada at Nawada.



10. The In-charger, Bihar State Food Corporation , Procurement Centre at Pakribarawan Nawada.
11. The Enforcement Officer for Paddy cum Block Development Officer, Pakribarawan, Nawada.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 817, 809, 807, 901 of 2016)

For the Appellant/s : Mr. Shashi Kant Kumar

(In Letters Patent Appeal No.1237 of 2016)

For the Appellant/s : Mr Amish Kumar

Mr S.K.Choudhary

For the BSFC : Mr. Anjani Kumar, Sr. Advocate

Mr Shailendra Kumar Singh

For the State : Mr Abbas Haider, SC 16

For the Bank : Mr Purushottam Jha

Mr Vikash Kr. Jha

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 21-03-2018

In view of the decision rendered by a Division Bench in LPA No.10 of 2016 and analogous cases, dated 22.11.2016, all those persons whose procurement has been done after the cut-off date cannot be given benefit of a direction upon the concerned respondents for making payment for procurement done.

The rational and reasoning, which has been provided by the Division Bench in LPA No.10 of 2016, therefore, will cover these cases and all of them, therefore, stand dismissed.

Before parting, however, counsel for some of the appellants submits that they have filed representation before the District



Magistrate, Nawada in this regard, which were never entertained or acted upon and the same are still pending for verification and consideration.

Without expressing any opinion on the authenticity of the issues highlighted in the said representations, the District Magistrate, Nawada will be well advised to pass an order and communicate the same on the representations of some of these appellants, especially appellants in LPA Nos.817 of 2016, 807 of 2016, 809 of 2016, 901 of 2016 and 1237 of 2016, if it has not been done so far. The disposal of the representations must happen within a period of eight weeks from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

sk

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.03.2018
Transmission Date	NA

