

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9117 of 2015

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M/s Mangaldeep Rice Mill Private Limited, Chauradano, Motihari, through its
Proprietor Ram Babu Prasad, son of late Mangal Prasad, resident of
Chauradano, Police station Chauradano, district Motihari.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food & Consumer Protection Department,
Government of Bihar, Patna.
3. The Managing Director, Bihar State Food and Civil Supply Corporation, Sone
Bhawan, Birchand Patel Path, Patna.
4. The Deputy Chief (Claim), the Bihar State Food & Civil Supply Corporation,
Sone Bhawan, Birchand Patel Path, Patna.
5. The District Magistrate, Motihari.
6. The District Manager, Bihar State Food and Civil Supply Corporation,
Motihari.
7. The Certificate Officer, East Champaran, Motihari.

.... Respondents

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate

For Respondent-State : Mr. Pankaj Kr. Singh, AC to SC 14

For the BSFC : Mr. Shailendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-09-2018

The present writ petition has been filed for the following

reliefs –

*“(i) For issuance of an appropriate writ, order or
direction including a writ in the nature of certiorari for
quashing the entire proceeding of Certificate Case No.
7/14-15;*

*(ii) For issuance of an appropriate writ, order or
direction including a writ in the nature of certiorari for
quashing the order dated 1.4.2015 passed in the
aforesaid certificate case;*



(iii) For issuance of an appropriate writ, order or direction commanding the respondents to proceed in accordance with law against the petitioner and to forebear from taking any coercive action against him;
(iv) Any other relief or reliefs be granted to the petitioner as he is legally entitled in the facts and circumstances of the case."

2. Learned counsel for the parties agree that the dispute has now been referred to the learned Arbitrator, who was appointed by judgment dated 19.07.2017 passed in Request Case No. 100 of 2017 (*Ram Babu Prasad Vs. The Bihar state Food & Civil Supplies Corporation Limited & Ors.*).

3. In the above view of the matter, the writ petition is disposed of with an observation that the instant certificate proceeding shall await by the final award passed by the learned Arbitrator.

4. It is made clear that until the matter is disposed of by the Arbitrator, the Certificate Officer, Sitamarhi shall refrain from resorting to any coercive action for recovery of the dues against the petitioner in Certificate Case No. 7/2014-15.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.09.2018
Transmission Date	N.A.

