

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13758 of 2015

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Md. Bechu Ansari S/o Late Nabi Ansari, R/o Village Parsandi, P.S.- Parihar,
Dist- Sitamarhi Presently Posted as Block Co-operative Officer, Sahebganj, P.S.
Sahebganj, District Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply, Bihar Patna.
2. The Principle Secretary, Food and Civil Supply, Bihar Patna.
3. The District Magistrate, Darbhanga.
4. The Addl. Collector cum- District Certificate Officer, Darbhanga
5. The Bihar State Food and Civil Supply Corporation Ltd through its Managing Director, Sone Bhawan, Birchand Patel Marg, Patna.
6. The Managing Director, Bihar State Food and Civil Supply Corporation Ltd., Sone Bhawan, Birchand Patel Marg, Patna.
7. The District Manager, Bihar State Food Corporation, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the Respondents : Mr. Apurv Harsh, AC to SC 28
For the BSFC : Mr. Shailendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 31-08-2018

Heard learned counsel for the petitioner, learned counsel
for the respondent-Corporation as well as learned counsel for the State.

2. The present writ petition has been filed for quashing
the order dated 25.06.2015 passed in Certificate Case No. 15/2014-15
by which the District Certificate Officer Darbhanga by which the
respondent no. 4 held the petitioner liable for recovery of a sum of Rs.
8,94,455/-; and for connected reliefs.

3. At the very outset, this Court takes note that the



impugned order has been passed disposing of the objection petition filed under Section 9 of the PDR Act against which the petitioner has statutory remedy under Section 60 of the PDR Act by way of filing appeal.

4. In the above view of the matter, this Court is not inclined to enter into the merits of the matter. The writ petition stands disposed of granting liberty to the petitioner to prefer an appeal against the impugned order dated 25.06.2015 passed by the District Certificate Officer, Darbhanga in Certificate Case No. 15/2014-15, if so advised, in terms of the provisions of Section 60 of the PDR Act which, if filed, should be considered and disposed of on its own merits and in accordance with law.

5. It is made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner, while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.09.2018
Transmission Date	N.A.

