

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18249 of 2015**

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Durga Mini Rice Mill, through its Proprietor Guddu Kumar Son of Sri Ram Sagar Choudhary, Resident of Village - Bagwara, P.S. - Suhidra Nagar, District - Begusarai.

.... .... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food & Civil Supply Department, Sone Bhawan, Patna.
2. The District Magistrate, Begusarai.
3. The Certificate Officer, Begusarai.
4. The General Manager, Food Corporation of India, Sone Bhawan, Patna.
5. The Assistant General Manager, Food Corporation of India, Sone Bhawan, Patna.
6. The Godown in-Charge, FCI, Begusarai.
7. The Bihar State Food and Civil Supplies, Corporation through its Managing Director, Patna.
8. The District Manager, State Food and Civil Supplies Corporation, Begusarai.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.  
For the BSFC : Mr. Shailendra Kumar Singh, Advocate.  
For the State : Mr. Madanjeet Kumar, GP-20

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 11-09-2018**

The present writ petition has been filed for setting aside the order dated 31.07.2015 passed by the Collector, Begusarai in Rev. Case No. 03/2015 whereby and whereunder the Collector has refused to appreciate the defense of the petitioner in Rev. Case No. 03/2015 and has accordingly upheld the order passed by the District Manager, State Food and Civil Supplies Corporation, Begusarai.

2. 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.

3. 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 31.07.2015 passed by the Collector, Begusarai in Rev. Case No. 03/2015, if so advised, in terms of the provisions of the PDR Act which, if filed, should be considered and disposed of on its own merits and in accordance with law.

4. 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)**

Md. Ibrarul/Chandran

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