

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14890 of 2018

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Manjaura Primary Agriculture Credit Society Ltd. Block- Udakishunganj, District- Madhepura through its Chairman Arshad Ansari Son of Arif Anasari Resident of Ward No. 7, Village- Manjaura, P.S. Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principle Secretary, Department of Food & Civil Supply, Government of Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The Co-Operative Exaction Officer Cum Enforcement Officer, Madhepura.
5. The Block Development Officer, Udakishunganj Block, Madhepura.
6. The Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
7. The District Manager, Bihar State Food and Civil Supplies Corporation, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Respondent/s : Mr. S. RAZA AHMAD- AAG5

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 30-07-2018

Heard learned counsel for the petitioner, learned counsel for the Bihar State Food & Civil Supplies Corporation and the learned counsel appearing on behalf of the State.

Petitioner seeks a direction upon the Corporation to



accept the CMR against the paddy received by the petitioner in the Kharif Session 2017-18 which the Deputy Development Commissioner, Madhepura has found that 706 quintals of CMR is ready to be delivered vide letter dated 25.05.2018 as contained in Annexure-8.

Learned counsel for the petitioner submits that the paddy has been given for de-husking and the CMR has to be returned to the respondent-Corporation. The last date of acceptance being 31.07.2018, he submits that the payments of cost of paddy of the farmers have been paid through NIFT and RTGS but the CMR is not being accepted by the Corporation.

Learned counsel for the Corporation, however, submits that as per the enforcement certificate, the petitioner was given paddy for de-husking and has no objection if the CMR rice is given to the Corporation. He submits that the writ application is not maintainable on the ground that there was no objection by the Corporation to receive the CMR from the petitioner's society. The CMR rice which will be delivered by the petitioner is edible or not has to be ascertained.

Since the enforcement certificate is for the Kharif Season 2017-18, let the petitioner deposit the CMR with the Corporation available with him as per Annexure-8 which will be accepted by the



Corporation by 31.07.2018.

This writ application is allowed with above observation.

(Nilu Agrawal, J)

Devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.07.2018
Transmission Date	NA

