

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17162 of 2015

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M/s Koshi Rice Mill, Sour Bazar, Saharsa through its Manager Gajendra Bhagat
Son of Bachcha Bhagat resident of village + P.O. Rajanpur, P.S. Mahishi, District
- Saharsa

.... Petitioner/s

Versus

1. The General Manager, Food Corporation of India, Exhibition Road, Patna
2. The Assistant General Manager, Food Corporation of India, Exhibition Road, Patna
3. The Godown In-Charge, FCI, Saharsa
4. The Bihar State Food and Civil Supplies Corporation through its Managing Director, Patna
5. The District Manager, State Food and Civil Supplies Corporation, Saharsa
6. The Certificate Officer, Saharsa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Adv
For the BSFC : Mr. Shailendra Kumar Singh, Adv
For the FCI : Mr. Prabhakar Tekriwal, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-10-2018

The present writ petition has been filed for quashing the order dated 21.04.2015 passed in Certificate Case No. 13/2014-15 by the Certificate Officer, Saharsa whereby and whereunder warrant has been issued against the petitioner for recovery of a sum of Rs. 2,20,44,577/-.

2. The record of the case discloses that the matter has been adjourned a number of times at the request of the petitioner. Yet again two weeks' time is sought on behalf of the petitioner. This Court



is not inclined to adjourn the matter any further.

3. Learned counsel for the respondent-BSFC at the outset itself makes a statement at the Bar that the petitioner’s objection under Section 9 of the Bihar and Orissa Public Demands Recovery Act (for short ‘the PDR Act’) has already been disposed of by the Certificate Officer by passing an order under Section 10 of the PDR Act, which is appealable.

4. Having regard to the stand of the respondent-BSFC, this Court is not inclined to enter into the merits of the matter. The writ petition is accordingly disposed of with liberty to the petitioner to seek any remedy as may be available to it in accordance with law.

5. I.A. No. 7693 of 2018 also stands disposed of.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.10.2018
Transmission Date	NA

