

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6120 of 2018

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Rakesh Kumar Singh son of Late Yogendra Singh, Proprietor of M/s Raj Laxmi Rice Mill, Resident of Village Rauza, P.S. Town Thana, District Saran

.... Petitioner

Versus

1. The Food and Consumer Protection Department through the Principal Secretary, Bihar at Patna
2. The State of Bihar through District Magistrate, District Saran (Chapra)
3. The Bihar State Food and Civil Supplies Corporation Limited through its M.D., Bihar at Patna
4. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Saran (Chapra), District Saran (Chapra)
5. The District Certificate Officer, Saran (Chapra), District Saran (Chapra)

.... Respondents

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Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh,
Mr. Abhiprav Singh, Advocates

For the Respondents : Mr. Upendra Pratap Singh, AC to SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-04-2018

The present writ petition has been filed for quashing the Certificate Case No. 10 of 2014-15 pending before the District Certificate Officer, Saran, Chapra for recovery of Rs. 31,33,749.39; and for connected reliefs.

2. At the very outset learned counsel for the petitioner refers to the order of this Court (Annexure-8), stating that Request Case No. 142 of 2017 filed by the petitioner has been allowed by this Court by order dated 08.09.2017.

3. Learned counsel for the respondents also accepts this position.

4. Having heard learned counsel for the parties and in



view of the fact that the dispute between the parties has been allowed to be considered in the forum of arbitration, it is no longer necessary to enter into the merits of the present writ petition. The parties will be free to raise all issues before the learned Arbitrator at the appropriate stage.

5. In the interest of justice, this Court directs that the District Certificate Officer, Saran Chapra shall not resort to any coercive action against the petitioner for recovery of the dues against the petitioner in Certificate Case No. 10 of 2014-15 until resolution of the dispute by the learned Arbitrator.

6. The writ petition stands disposed of on the aforesaid terms.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.04.2018
Transmission Date	N.A.

