

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5400 of 2017

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Dinesh Prasad Gupta, S/o Sri Ram Chandar Saw, R/o Village- Pokharpur, P.S. Giriyak, Post - Pawapuri, District Nalanda, Partner, Pawapuri Rice Mill, Pawapuri, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Food and Consumer Department, Government of Bihar, Patna.
3. The District Collector, Nalanda.
4. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
5. The District Manager, Bihar State Food and Civil Supply Corporation, Nalanda.

.... Respondents

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Appearance :

For the Petitioner : None
For the State : Mr. Anisul Haque, AC to AAG 5
For the BSFC : Mr. Shailendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-01-2018

None appears on behalf of the petitioner despite repeated calls.

2. Learned counsel for the respondent-Bihar State Food and Civil Supply Corporation submits that the petitioner has rushed to this Court against the notice dated 21.03.2017 issued by the respondent-Corporation whereas he ought to have responded to the notice raising appropriate objections.

3. Despite a copy of the counter affidavit of respondent nos. 4 and 5 having been served upon learned counsel for the petitioner as far back as on 18.05.2017, the same has also not been



responded as no rejoinder thereof has been filed. It is submitted that the impugned notice has been issued with a view to ensuring compliance of the conditions laid down by the Apex Court in SLP (Criminal) No. 1779 of 2016 vide order dated 28.02.2017.

4. Having regard to the stand of the respondent-Corporation, this Court is not inclined to interfere in the matter. The writ petition is disposed of granting liberty to the petitioner to raise all the objections before the District Manager, Bihar State Food and Civil Supply Corporation, Nalanda (respondent no. 5) upon the impugned notice dated 21.03.2017 (Annexure-13). If any such objection is filed by the petitioner within a period of two weeks from today, the same shall be considered and disposed of by the respondent-Corporation on its own merits and in accordance with law expeditiously.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.01.2018
Transmission Date	N.A.

