

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4577 of 2019

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Umesh Kumar @ Umesh Singh Son of Maluk Singh @ Mathura Singh R/o
Village-Charen, P.S. Korma, District-Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Bihar, Patna
2. The Principal Secretary Food and Consumer Protection Department, Bihar, Patna
3. The District Magistrate Sheikhpura
4. The Deputy Development Commissioner Sheikhpura
5. The Sub-Divisional Officer Sheikhpura
6. The Block Development Officer Sheikhpura, District-Sheikhpura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-07-2019 No writ can be issued in pre-emption of an action which has been proposed vide Annexure '4' to the writ application. It is apparent from Annexure '4' that a certificate proceeding has been registered against the petitioner as back as in the year 2011 giving rise to Certificate Case No. 26 of 2011-12. Now by alleging that the petitioner had misappropriated the rice the Block Development Officer, Sheikhpura has informed the petitioner that one FIR will be lodged against him if he failed to deposit the amount.

As stated above, the relief prayed in the writ



application cannot be granted by this writ court. Whether an FIR would be legally sustainable or not would be a question only when the FIR is lodged and the same is challenged before the appropriate court in an appropriate proceeding.

The writ application is dismissed.

(Rajeev Ranjan Prasad, J)

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