

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1415 of 2017
In
Civil Writ Jurisdiction Case No.1403 of 2017

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1. The Bihar State Food And Civil Supplies Corporation Ltd.
 2. The District Manager, the Bihar State Food and Civil Supplies Corporation Ltd. Gaya, District Gaya.
 3. The Deputy Chief Finance, Bihar State Food and Civil Supplies Corporation Limited, Bihar, Patna.

... .. Appellant/s

Versus

1. Arun Kumar, son of Sri Chandra Bhushan Prasad Singh Proprietor of M/s NeelKanth Rice Mill Gaya, resident of Village P.O. Ahiyapur , P.S. Konch, District Gaya.
2. The Food and Consumer Protection Department through its Principal Secretary, Bihar, Patna.
3. The District Certificate Officer, Gaya, District Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sumeet Kumar Singh, Advocate

Mr. Gaurav Prakash, Advocate

Mr. Satyendra Prasad Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 02-12-2019

“This Memo of Appeal is directed against the judgment and order dated 07.03.2017 passed by Hon’ble Mr. Justice Shivaji Pandey in C.W.J.C. No. 1403 of 2017 by which the writ application filed by the petitioner-respondent challenging the action of the Managing Director, BSC (Respondent no.3) by which he has directed to lodge a criminal case vide letter no. 12669 dated 17.10.2016 against the defaulter Miller. The Hon’ble Single Judge has been disposed of with direction to Respondent appellants will not



institute any criminal case or not proceed with the Certificate proceeding till the decision of the Chief of claim of the Corporation, if the finding of the Chief of claim of the Corporation comes in favour of the petitioner then the proceeding of the Certificate case will be treated to have been quashed.”

Learned counsel for the appellants seeks permission to withdraw the present petition.

Prayer allowed.

The appeal is accordingly dismissed as withdrawn.

(Sanjay Karol, CJ)

Ravi/-

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(Anil Kumar Upadhyay, J)

