

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.109 of 2004

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- 1.M/s Evergreen Plywood Industries Pvt. Ltd. a private limited company having its place of business at Gulabbagh in the town and District Purnea (Bihar) through its Authorized Signatory Md. Ali.
 2. M/s Nishant Wood Crafts a proprietorship firm having its place of business at industrial area, Purnea City, Purnea through its proprietor Binod Kumar Golchha.
 3. M/s R. K. S. Industries (P) Ltd. a private limited company having its place of business at Madhubani in the town and District Purnea through its one of the Directors Sandeep Raj.
 4. M/s Satyam Industries a proprietorship firm having its place of business of Madhubani in the town and District Purnea through its proprietor Mrs. Indu Bhagat.
 5. M/S Saba Plywood Products a proprietorship firm having its place of business at Gulabbagh in the town and District Purnea through its proprietor K. Qureshi.
 6. M/s Ramdev Industries a firm having its place of business at Gulabbagh in the town and District Purnea through its authorized signatory Rakesh Jain, Manager.
 7. M/sd S. S. Industries a partnership firm having its place of business at Belori in the District of Purnea through its one of the partners Sudarshan Ch. Das.
 8. M/s S. K. N. Plywood Industries a partnership firm having its place of business at Gulabbagh in the town and District Purnea through its one of the partners Anil Soni.
 9. M/s Woodchem Industries a partnership firm having its place of business at Station Road, Khuskibagh in the town and District Purnea through its one of the partners Lalit Chandak.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Bihar State Agricultural Marketing Board, Pant Bhawan, Baily Road Patna through its Managing Director.
3. The Secretary, Agriculture Produce Market Committee, Gulabbagh, District Purnea (Bihar).



4. M/s Kamakhya Plywood a partnership firm having its place of business at at Gulabbagh in the town and District Purnea through its one of the partners

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ramesh Kumar Agrawal, Advocate

For the Respondent/s : Mr. Suresh Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-12-2020

The instant Letters Patent Appeal has been preferred against the judgment dated 17.12.2003 passed by a learned Single Judge of this Court in CWJC No. 4419 of 2002 titled as M/s Evergreen Plywood Industries Pvt. Ltd and Ors. Vs. The State of Bihar And Ors..

On 13th of November, 2020, we had passed the following order:

“Matter pertains to the year 2004. As such, by way of a special drive to take up old matters, the same stands listed.

On 10th of March, 2004 the following order was passed:

“It is stated that the point involved in this appeal is also involved in SLP No. 1909/2004 in which Special



Leave has been granted on 8.3.2004.

Put up this appeal in the first week of August, 2004.

In the meantime no coercive steps should be taken against the appellants.”

As per the case status indicated on the website of the Hon’ble Supreme Court of India, the said Special Leave to Appeal (Civil) No. 1909/2004) titled as Krishi Utpadan Bazar Samiti Vs. Prakash Singh & Ors. stands dismissed.

A prayer for adjournment has been made on the ground of illness of Shri Ramesh Kumar Agrawal, learned counsel for the appellant.

Prayer allowed.

List on 7th of December, 2020.”

Today, Mr. Ramesh Kumar Agrawal, learned counsel for the appellant does not dispute the status with regard to the dismissal of the Civil Appeal, referred to supra, by Hon’ble the Apex Court. He further states that in any event, on account of intervening developments i.e. subsequent enactments, the present appeal has outlived its purpose and the same can be disposed of, reserving liberty to the writ-petitioners/appellants to take recourse to such remedies as are otherwise available in accordance with law, under the amending statute.

The State has no objection to the same.



As such, as prayed for by Shri Ramesh Kumar Agrawal, learned counsel for the appellant, the appeal stands disposed of with liberty in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Prabhat Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	14.12.2020
Transmission Date	

