

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11919 of 2017

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Sunil Kumar Keshri S/o Sri Ramji Sao, Resident of Village- Kauriram, P.S.
Mohania, District Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Bhojpur, Ara
2. The Bihar State Food and Civil Supplies Corporation, BSFC Bhawan,
Daroga Rai Path, Patna.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation
BSFC Bhawan, Daroga Rai Path, Patna
4. The District Manager, Bihar State Food and Civil Supplies Corporation
Limited, Kaimur Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Sanjay Kr. Giri-GP 9
		Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-11-2020

Petitioner has prayed for the following relief(s):-

“For quashing of a notice-cum-letter no. 531 dated 18.3.2017 issued by the District Manager (Respondent no.4) by which he has asked the petitioner to furnish Bank Guarantee for amount of Rs. 1,24,49,806.88 paise in view of the direction given by the Supreme Court in S.L.P. (Cr.) No.1779 of 2016 and/or for issuance of



writ/writs, direction/directions as your lordships may deem fit and proper.”

Learned counsel for the petitioner invites our attention to the intervening developments which have taken place, post filing of the instant petition.

According to learned counsel, Hon’ble Apex Court, with respect to the very same subject matter, in relation to similarly situated persons, has already expressed its views in the decision reported in (2018) 8 SCC 475 titled as Arvind Tiwary Vs. State of Bihar and another as also M.A. No. 1140 of 2019 arising out of Cr. Appeal No. 998 of 2018 titled as Arvind Tiwary Vs. State of Bihar and another.

On the other hand, Shri Shailendra Kumar Singh, learned counsel appearing for the respondents, clarifies that there are other orders passed by Hon’ble the Apex Court.

In view of the intervening developments, learned counsel for the petitioner states that the petition can be disposed of reserving liberty to the writ-petitioner to invite attention of the authorities of the passing of the orders by the Hon’ble Apex Court, referred to supra and its applicability to the petitioner’s case.



The request of the petitioner, in pursuing alternative remedies before an appropriate forum is not opposed by the respondents, and rightly so.

As such, as prayed for, the present petition is disposed of as not pursued any further.

We have not expressed any opinion on merits, leaving it open for the parties to agitate the issue if so required and desired.

(Sanjay Karol, CJ)

(S. Kumar, J)

DKS/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

