

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9152 of 2017

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Yamuna Singh son of Late Shiv Bachan Singh, Resident of Village- Sonbarsa,
Police Station- Mohania, District- Kaimur, Proprietor of Manish Mini Rice
Mill, Bhatti, Mohania, District- Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State of Bihar through the Principal Secretary of Bihar State Food and
Civil Supply Department,
3. The District Magistrate, Kaimur.
4. The Director-cum-Certificate Officer, Kaimur, Bhabua.
5. The District Manager, State Food Corporation, Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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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):

“(a) For quashing the entire proceeding of
Certificate Case No. 116 of 2014-2015 running in the
Court of Certificate Officer, Kaimur against the petitioner
for recovery of a sum of Rs. 71, 58, 757.36 (Seventy one
Lacs fifty eight Thousand Seven Hundred fifty seven
rupees and paisa thirty six only) alleging therein that the
petitioner has taken 5280 (five thousand two hundred and
eighty) quintals of paddy from State Food Corporation,
Kaimur for milling and he was to deposit 3537.60 quintals



of rice whereas he has deposited only 268.65 quintals of rice and 3268.95 quintals of rice was left with the petitioner costing to amount of Rs. 71, 58, 757.36 (Seventy one Lacs fifty eight Thousand Seven Hundred fifty seven rupees and paisa thirty six only) and also for quashing the notice cum letter no. 531 dated 18.03.2017 (contained in Annexure-4) issued by the Respondent no.5 whereby the petitioner has been asked to deposit a bank guarantee equivalent to Rs. 70, 79, 107/- Seventy lacs seventy nine thousand one hundred seven) by 28.03.2017 in the District office of State Food Corporation, Kaimur holding that Bank security has not been deposited by the petitioner whereas the security money was already deposited as per agreement.

(b) To pass any such other order or orders as the Hon'ble Court be deem just and proper in the facts and circumstances of the case.”

Yesterday none had appeared.

Even today, in spite of repeated calls, none has entered appearance. Link for hearing was also sent to the learned counsel.

It is brought to our notice that a bunch of cases dealing with similar issue with which the instant petition was also tagged, already stands disposed of in terms of order dated 10th of November, 2020 passed in C.W.J.C. No. 6051 of 2017 titled as Dharmvir Singh alias Dharamveer Singh Vs. The Food and Consumer Protection Department & Ors.



With the passage of time, the present petition has become infructuous, inasmuch as, the legislation in question stands repealed and substituted by another legislation, and it is perhaps for this reason that the petitioner has lost interest.

As such, the petition stands disposed of making the order dated 10th of November, 2020 passed in C.W.J.C. No. 6051 of 2017 titled as Dharmvir Singh alias Dharamveer Singh Vs. The Food and Consumer Protection Department & Ors. applicable *mutatis mutandi* also to the instant case.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

