

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1475 of 2018

In

Civil Writ Jurisdiction Case No.11443 of 2018

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Chandra Shekhar Singh Son of Sri Ramashish Singh, Resident of Village-Kushahi, P.O.-Kaniyari, P.S.-Dinara, District-Rohtas.

... .. Appellant/s

Versus

1. The Bihar State Food And Civil Supplies Corporation Through Its Managing Director, Patna
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas at Sasaram
4. The District Magistrate, Rohtas, Sasaram.
5. The Certificate Officer, Rohtas, Sasaram.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Rakesh Kumar, Adv.
For the Respondent/s	:	Mr.Anjani Kumar, Sr. Adv.
	:	Mr.Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 05-02-2020 This appeal has been preferred against the order dated 18.09.2018 passed by the learned Single Judge in C.W.J.C. No.11443/2015.

The impugned order dated 18.09.2018 in toto is reproduced as under:

“The present writ petition has been filed for the following reliefs -

“(i) That the entire proceeding in Certificate Case No. 58/2014-15 contained in Annexure-12 may be



quashed.

(ii) That the distress warrant issued by the Certificate Officer dated 28.05.2015 contained in Annexure-13 may be quashed.

(iii) That the requisition filed by the respondent District Manager, BSFC contained in Annexure-11 may be quashed. Being not maintainable in the eye of law.

(iv) That any other relief or reliefs may be allowed which will be just, proper and equitable on the opinion of his Hon'ble Court."

2. At the outset itself, learned counsel for the petitioner invites reference to his supplementary affidavit, inter alia, enclosing an order dated 18.10.2016 passed by the District Manager, BSFC (Annexure-16). It is submitted that liability can no longer attach to the petitioner in the light of the findings recorded against the erstwhile District Manager, BSFC, Rohtas at Sasaram.

3. Learned counsel for the respondent-BSFC appears and has been heard.

4. Having regard to the stand of the petitioner, the writ petition stands disposed of, with liberty to the petitioner to approach the Certificate Officer with an appropriate petition for redressal of his grievances.

5. If any such petition is filed within a period of two weeks from today, the same shall be considered and disposed of on its own merits in accordance with law."

We do not find any infirmity or perversity in the impugned order for entire material stands considered and dealt with by the learned Single Judge while passing the impugned order. Liberty stands granted to the petitioner to approach the certificate officer ventilating his grievances in exercise of his statutory right.

We are only hopeful that as and when any such right is exercised, the authority shall consider the same expeditiously



and with reasonable dispatch.

Needless to add, action, if any, against the petitioner shall be taken strictly in accordance with law.

The application stands disposed of.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

K.C.Jha/-pallavi/

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