

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.23943 of 2019**

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1. Satya Prakash Rai, Son of Raj Bahadur Rai Resident of Village Tenuaj Natwar Kalan, P.S.- Natwar, District Rohtas, Bihar.
2. Mantu Singh, Son of Chandrama Singh Resident of Lahthan, P.S.- Lahthan, District Bhojpur, Bihar.
3. Vinod Mandal, Son of Moti Mandal Resident of Village Sugauna, P.S.- Raj Nagar Sugauna, District -Madhubani, Bihar.
4. Prince Kumar, Son of Shiv Kumar Singh Resident of Village Mahadewa, P.S.- Mali, District Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Foods and Public Distribution, Krishi Bhawan, New Delhi- 110001.
2. The Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Foods and Public Distribution, Krishi Bhawan, New Delhi- 110001.
3. The State of Bihar through the Secretary, Food and Consumer Protection department, Government of Bihar, Old Secretariat, Patna 800015.
4. The Secretary, Food and Consumer Protection department, Government of Bihar, Old Secretariat, Patna 800015.
5. Food Corporation of India Through its Chairman and Managing Director, 16-20, Barakhamba Lane, New Delhi- 110001. India.
6. The Chairman and Managing Director, Food Corporation of India, 16-20, Barakhamba Lane, New Delhi- 110001. India.
7. Bihar State Food and Civil Supplies Corporation Limited Kadhya Bhawan, Daroga Rai Path, R- Block, Road No. 2, Patna 800001, through its Managing Director.
8. The Managing Director Bihar State Food and Civil Supplies Corporation Limited, Kadhya Bhawan, Daroga Rai Path, R- Block, Road No.2, Patna 800001.

... .. Respondent/s

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**Appearance :**



For the Petitioner/s : Mr. Avinash Shekhar, Advocate.  
For the Respondent/s : Mr.S.Raza Ahmad, AAG 5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

5      11-12-2020      Petitioners have prayed for the following relief(s):-

“a) To issue an appropriate writ, order or direction in the nature of mandamus commanding the respondent Food Corporation of India to procure paddy in the State of Bihar during the impending Kharif Marketing Season 2019-2020 under its Centralised (Non-DCP) procurement system instead of the Decentralised (DCP) procurement system in light of the fact that the existing Decentralised (DCP) procurement system has failed to maximise local procurement and the farmers are not getting the benefit of the minimum support price in a timely manner.

b) To issue further appropriate writ, order or direction commanding the Respondent Food Corporation of India to either establish its own procurement centres in the State of Bihar or procure paddy through its own specialised agencies to procure paddy during the impending Kharif Marketing Season 2019-2020.

c) This Hon’ble Court may adjudicate and hold that it is the duty of the Respondent Authorities to protect the interest of the farmers and to ensure that the farmers are able to avail the maximum benefit of the procurement schemes.

d). This Hon’ble Court may further adjudicate



and hold that it is the duty of respondents to ensure that the procurement schemes are properly enforced and the benefits thereof is able to reach the farmers without delay.

e) The Hon'ble Court may direct the respondent no. 1 to call an enquiry/investigation regarding minimal procurement of paddy in the State of Bihar, despite the fact that primarily the State of Bihar is dependent upon agriculture.

f) To award any other relief or reliefs in the facts and circumstances of the case.”

Learned counsel for the petitioners seeks permission to withdraw the present petition reserving liberty to file fresh petition on the same cause of action.

Permission granted.

Petition stands disposed of reserving liberty aforesaid.

Interlocutory application, if any, shall stand disposed of.

**(Sanjay Karol, CJ)**

**( Partha Sarthy, J)**

sujit/-

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