

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25519 of 2019

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Yuvraj Bhagat S/o Late Satyadeo Bhagat Resident of Village- baijanathpur,
P.o.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and consumer Protection Department, Govt. of Bihar, Patna
2. The Collector Purnea
3. The Block Supply Officer Baisi, Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari
For the Respondent/s : Mr.Arvind Ujjwal (SC-4)
Mr. Maruti Nath Roy, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-02-2020 The present writ petition has been filed by the petitioner for a direction to release 475 bags (229 quintal 90 Kgs.) of *arwa* rice seized by Block Supply Officer, Baisi, Purnea in Confiscation Case No. 324 of 2018 pending before the learned Collector, Purnea in favour of the petitioner to the satisfaction of learned Collector, Purnea on such terms as this Hon'ble Court deems fit and proper subject to result of criminal case and confiscation case.

The learned counsel for the petitioner submits that since the confiscation proceedings are still pending before the learned Collector, Purnea, he be directed to consider the case of



the petitioner for release of the rice since the food grains are perishable commodities and are lying since two years.

The learned counsel appearing for the respondents submits that a decision would definitely be taken within a period of two weeks from the date of receipt/production of a copy of this order by the learned Collector, Purnea with regard to release of the rice.

At this stage, the learned counsel for the petitioner submits that the petition for release of the rice bag is pending consideration since the year 2017 itself. If this be true, the inaction on the part of the Collector, Purnea is deplorable. In such view of the matter, this Court deems it fit and proper to direct the Collector, Purnea to consider the petition of the petitioner for release of the rice bags by passing final order within a period of two weeks of receipt/production of a copy of this order.

It is made clear that any dereliction on the part of the Collector, Purnea in not abiding by the order of this Court, as aforesaid, would entail initiation of contempt proceedings as also it would be deemed that the rice bags have stood released w.e.f. the expiry of the aforesaid time limit and the learned Collector, Purnea would ensure that the rice bags in question



are handed over to the petitioner.

The petition stands disposed off on the aforesaid
terms.

(Mohit Kumar Shah, J)

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