

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5429 of 2021

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Urmila Devi Wife of Shri Rajendra Tiwari @ Rajendra Prasad Tiwary
Resident of Village- Shivpur, P.S.- Karaghar, District- Rohtas (Sasaram), At
present residing at Village- Jagdishpur, P.S.- Kochas, District- Rohtas
(Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar Through Secretary, Food and Consumer Protection
Department, Government of Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram Rohtas at Sasaram
3. The Bihar State Food and Civil Supplies Corporation Ltd. Through its
Managing Director, Bihar (Patna)
4. The District Manager State Food Corporation, Rohtas Rohtas (Sasaram)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Lalit Kishore, A.G. Mr. Shailendra Kumar Singh, Advocate Mr. Utkarsha Utpal, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2021

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

“For issuance of writ(s), Order(s), Direction(s),
directing the Respondents not to take any Coercive action
specially for auction of petitioner’s property in view of
the peculiar facts of the case.

And/Or

For issuance of other order(s), Director(s), which
may deem fit and proper.”

After the matter was heard for some time, learned



counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing afresh for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;



(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits of the matter. All issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	23.12.2021
Transmission Date	

