

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5194 of 2020

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M/s Sanjay Trading Company through its proprietor Shiw Kumar Gupta,
Godown No- 7, Gulabbagh Marketing Yard, Purnea, P.S.- Purnea, District-
Purnea (Bihar) and also at S.P. Mukherjee Road, Khalpara, Silliguri, Silliguri
Bazar Dargeelling- West Bengal- 734005.

.. ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agricultural Department,
Government of Bihar, Bihar, Patna.
2. The Bihar State Agricultural Marketing Board (Dissolved) through
Administrator, Pant Bhawan, Patna.
3. The Sub- Divisional Officer- Cum- Special Officer, Bihar Agricultural
Produce Marketing Society, Gulabbagh, Purnea.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh (AAG-13)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-10-2022

Heard learned counsel for the parties.

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

- (i) For a direction to the respondent authority to set aside the letter no. 999/Kri, Purnea dated 19/11/2019, letter no. 11/Kri, Purnea dated 22/01/2020 and letter No. 234/Kri, Purnea dated 20/05/2019 issued by the Sub-Divisional Officer-cum-special officer Bihar Agricultural Produce Marketing Society Gulabagh, Purnea and thereafter dispose the representation dated 18/02/2020 filed before the authority by the petitioner pursuant to the above said letter.
- (ii) For a direction upon the respondent authority to calculate the up to date rent from 2011-12 inwards at the rate of which has been agreed between the parties.
- (iii) Further direct the respondent authority to consider the in advent situation and condition of the petitioner in view of the ailment and further to fix a

certain time as prayed in the representation for payment of arrears rent in easy equal installments and also in the light of the letter No. 161/Kri, Purnea dated 18/05/2019.
(iv) For any other relief/reliefs for which the petitioner is entitled in facts and circumstances of the case.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to approach **Respondent No. 3, namely The Sub-Divisional Officer-cum-Special Officer, Bihar Agricultural Produce Marketing Society**, for redressal of the grievance(s).

Permission granted.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

Rajiv/veena-

(S. Kumar, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	