

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9887 of 2021

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Vinod Prasad Yadav, S/o Kameshwar Rai, Resident of Village-Chamatha Chakki, Ward No. -6, Block-Bachhwara, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Deputy Development Commission-cum-Certificate Officer, Begusarai.
4. The Block Development Officer, Bachhwara, District Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prem Prakash Poddar, Advocate
For the Respondent/s	:	Mr.Lalit Kishore (A.G.)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 19-01-2022

Heard learned counsel for the parties.

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

“That this writ application is being filed

on behalf of the petitioner for quashing vide Memo

No. 1039 dated 29.09.2020 issued by Block

Development Officer, Bachhwara alongwith vide

Memo No. 356 Zila/gramin dated 28.08.2020

issued by Deputy Development Commissioner cum

Certificate Officer, Begusarai directing for realization of Price at A.P.L. rate of the rice remained with the petitioner supplied in the year 2006-07 under the Scheme S.G.R.Y. in the year 2002-2006.

This writ petition has been filed for quashing the memo no. 1039 dated 29.09.2020 issued by the Block Development Officer, Bachhwara by which petitioner, who is the PDS dealer has been directed to deposit the amount with respect to value of undistributed rice which was given to him under the Sampurna Gramin Rojgar Yojna. However, as the scheme was discontinued, the undistributed food grain remained in possession of the PDS dealer and same was not returned, as such, they were directed to refund the amount equivalent to the value of undistributed food grain. This order is being issued pursuant to direction of this Court passed in C.W.J.C. No. 19576 of 2011.

It has been submitted by learned counsel for the State that dispute was referred by this Court before a committee headed by retired Judge (Mr. Justice Uday Sinha) who after hearing the parties had determined the liability against each of the PDS dealer.

In such view of the matter, this Court does not find any merit in this case and is accordingly dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	