

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6992 of 2021

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Manoj Kumar Singh, son of Awadhesh Singh, proprietor of M/s Puja Mini Rice Mill, resident of Village-Kudra, P.S.-Kudra, District-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Patna, Bihar at Patna.
2. Food and Consumer Protection Department through its the Principal Secretary, Bihar at Patna.
3. Bihar State Food and Civil Supplies Corporation through its Managing Director, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No. 2, Patna-800001.
4. Managing Director, the Bihar State Food and Civil Supplies Corporation Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No. 2, Patna-800001.
5. District Magistrate-cum-Collector, Kaimur, District-Kaimur.
6. District Manager, Bihar State Food and Civil Supplies Corporation, District-Kaimur.
7. The District Certificate Officer, Kaimur, District-Kaimur.
8. The Officer In-Charge, Kudra, P.S. Kudra, District-Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Advocate

For the Respondent/s : Mr.Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs



joined the proceedings through Video Conferencing from their residences/offices.)

Date : 06-01-2022

The petitioner has prayed for the following relief/s :-

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- I. That the present writ application is being filed in the nature of *Certiorari* for quashing the public notice issued in the daily news paper for auctioning of the property given at the time of agreement for the procurement year 2012-2013 by the petitioner listed at serial no-62, existing in the name of Manoj Kumar Singh and Ram Babu Singh, bearing Zamabandi No- Nil, Mauza No-Sakari/659, Khata No-93, Plot No-1561, 1446, 576,558,558, Area- 1.44, 0.23, 0.59, 0.47, 0.23vdecimal , valued for Rs.5,78,000 /- in the daily newspaper "Hindustan" scheduled on 28.7.2020 and rescheduled on 5.8.2020 in the light of the order passed in S.L.P.(Cri) No-9196 of 2018 dated 13.8.2020 reported in (2018) 8 SCC 475; on the ground that the Hon'ble Apex Court directed to act in accordance with law, there is no order for auction of the property under any law under which the petitioner is facing proceeding, there is action without sanction of law;



- II. That the present writ application is being filed in the nature of *Mandamus* for a direction to the Managing Director, Bihar State Food and Civil Supplies Corporation, District Magistrate, Kaimur and District Manager, Bihar State Food and Civil Supplies Corporation not to auction the property given by the petitioner at the time of agreement for the procurement year 2012-2013 without any authority of law/sanction of law and also to revalue the property in accordance with law;
- III. For any other relief/Reliefs for which the petitioner is entitled for.

Shri Sumeet Kumar Singh, learned counsel for the petitioner has not pressed the present petition for the same has become infructuous in view of the order passed by a co-ordinate Bench of this Court in CWJC No. 9675 of 2020 titled as Rameshwar Bharti @ Rameshwar Bharati Vs. the State of Bihar and Ors.

Present petition stands disposed of as having become infructuous.

Interlocutory application, if any, also stands disposed of.

(Sanjay Karol, CJ)

Ashwini/Sujit

(S. Kumar, J)

AFR/NAFR	
CAV DATE	
Uploading Date	08.01.2022
Transmission Date	

