

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15065 of 2021

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Sunil Ray, Son of Late Baskit Ray, Resident of Village-Mahamadpur Mohan, P.S.-Sakra,
District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Agriculture, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The District Co-operative Officer, Muzaffarpur.
4. The Block Development Officer, Sakra, Muzaffarpur.
5. The Block Agriculture Officer, Sakra, Muzaffarpur.
6. The Chairman of Pilkhi, PACS, Sakra, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate
For the Respondent/s : A.C. to A.G.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 31-03-2022 The petitioner claims to be a farmer of Sakra Block in the district of Muzaffarpur. He is raising a grievance that he had approached the Chairman of PACS of Pilkhi under the said Block for selling 175 quintals of wheat on payment of Government procurement rate, which was not accepted by the then Chairman. There is an allegation in the writ application of certain irregularities being committed by the Chairman of the said PACS in relation to procurement of wheat.

In the aforesaid background, the petitioner has filed the present application seeking following reliefs:



“(i) For issuance of an order/orders, direction/directions, writ, including writ in the nature of Mandamus directing the respondents/authorities to investigate the matter of irregularities done for wheat procurement by the Chairman of PACS of Pilkhi, under Sakra Block at Muzaffarpur District.

(ii) For issuance of direction to the authorities on which circumstances the wheat of the petitioner was not accepted on the Government Fixed Rate for the procurement of wheat in the year 2021-22.”

We are not inclined to entertain the writ application for the reason that if, according to the petitioner, any action of the Chairman of the PACS constitutes an offence punishable under various provisions of law, he could have either filed an FIR or a complaint petition, instead of coming to this Court seeking such direction.

In such view of the matter, we do not find any merit in this writ application. This application is, accordingly, dismissed.

The petitioner shall, however, be at liberty to pursue his remedy before appropriate forum.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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