

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15604 of 2021

1. Yogendra Sah son of Late Badri Sah resident of Village- Tekanma, Police Station- Saur Bazar, District- Saharsa.
2. Ram Bilash Kumar son of Late Narayan Yadav resident of Village- Paharpur, Police Station- Saur Bazar, District- Saharsa.
3. Gajendra Kumar son of Late Rajendra Mahto resident of Village- Patarghat, Police Station- Saur Bazar, District- Saharsa.
4. Manoj Ram son of Sahdev Ram resident of Village- Bhagwatpur, Police Station- Saur Bazar, District- Saharsa.
5. Gyaneshwar Yadav son of late Kishun Prasad Yadav resident of Village- Kapsia, Police Station- Saur Bazar, District- Saharsa.
6. Vinay Kumar Bimal son of Late Nand Kishore Yadav resident of Village- Sahsram, Police Station- Saur Bazar, District- Saharsa.
7. Bechan Sharma son of Late Rajendra Sharma resident of Village- Pastpar, Police Station- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through Special Secretary, Rural Development Department, Bihar, Patna.
2. The District Magistrate, Saharsa.
3. The Deputy Development Commissioner (D.D.C.), Saharsa.
4. The Block Development Officer, Patarghat Block, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate
For the Respondent/s : Mr.Harish Kumar (Gp8)

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 : 21-01-2022

Heard learned counsel for the parties.

Petitioners have prayed for following relief:-

- I. For quashing the notices contained in memo no.871-2 dated 2.8.2021 issued under the signature of Block Development Officer, Patarghat Block, Saharsa District whereby the petitioners have been directed to deposit their respective amount as mentioned in the notices through bank draft within a week failing which a certificate proceeding shall be initiated against them.
- II. For restraining the respondent authorities from taking any coercive action against the petitioners during pendency of the writ petition.

Petitioners are aggrieved by the notice issued by the Block Development Officer, Patarghat Block, Saharsa dated 02.08.2021 by which they have been directed to refund the amount with respect to value of undistributed food-grains supplied to them under Sunishit Gramin Rojgar Yojna (SGRY) scheme.

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.

Learned counsel for the petitioners undertakes that they are ready to pay the amount, as determined by Justice Sinha Committee, minus the amount which has already been paid by them within a period of six months from today.

Let them do so within said period, failing which, appropriate action will be taken against them for violating the undertaking given to this Court.

With aforesaid direction and observation, the writ petition stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.01.2022
Transmission Date	NA