

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19298 of 2021

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Mahinam Primary Samiti Ltd (MAHINAM PACS) Mahinam, Block- Banipur,
District- Darbhanga through its Chairman Arun Kumar Jha, age about 57
years, Male, Son of Late Ganga Prasad Jha, resident of Village- Mahinam,
P.S.- Bahera, District Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, State Food and Civil Supply, State of Bihar, Patna.
2. The Collector, Dharbhanga.
3. The Managing Director, Bihar State Food and Civil Supply Corporation (BSFC) Khadya Bhawan, Daroga Prasad Rai Path, R. Block- Road No- 2, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation (BSFC), Darbhanga.
5. The District Co-operative Officer, Darbhanga.
6. Darbhanga Central Co-operative Bank through its Managing Director, Darbhanga.
7. Block Agriculture Officer, cum- C.M.R. In- charge, Benipur, Darbhanga.
8. Suprya Shrya Rice Mill, Dagarsham, Darbhanga.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Kaushal Kumar Jha, Adv.
For the State	:	Mr. Arvind Ujjwal SC-4
For the respondent		
Nos. 3 and 4	:	Mr. Shailendra Kumar Singh, Adv.

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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 06-05-2022 This matter has been taken up for hearing online.

2. The petitioner claims to be a Primary Agricultural Credit Society ('PACS' for short). This writ application has been filed through one *Arun Kumar Jha* claiming to be the Chairman of the said PACS seeking a direction to the Bihar State Food and Civil Supplies Corporation ('BSFC' for short) to make payment of the dues amounting to Rs. 12,49,638/-, in respect of supply of paddy procured by the PACS from the farmers in accordance with certain Government Policy.

3. It is the petitioner's case that in accordance with the said Policy, the concerned PACS were authorized to buy paddy from the farmers and give it to the rice millers authorized by the State Government. The said rice millers were, in turn, required to convert the said paddy into rice and return it to the petitioner's PACS or the State Government or to whom the State Government would have authorized. It is stated further that accordingly, after procuring paddy from farmers, the same was supplied to respondent No.8 on several dates. It is also stated that after supply of paddy to the rice miller, the Custom Milled Rice ('CMR' for short) was procured from the rice miller and thereafter, the same was supplied to the BSFC (respondent



No.4). It is the petitioner's case that despite representations made to the BSFC, the amount has not been paid against supply of paddy/ CMR.

4. The petitioner is relying on certain truck challans which have been brought on record by way of Annexure-1 to the writ application. The said *Challan*, if they are treated to be correct, may show supply of paddy to the rice miller (respondent No.8). Further, the form of the *Challan* requires acknowledgment to be made by the SFC. There is no such acknowledgment available over the said *Challans*. The petitioner has brought on record, a communication dated 25.11.2015, made by the PACS to the Manager, SFC, Darbhanga, in relation to supply of CMR and non payment against the said supply. The said letter does not bear any initial in token of the receipt of the said representation. There is another letter written by the petitioner addressed to Supriya Shreya Rice Mill, Dagarsham, Darbhanga (respondent No.8) asking him to make payment of the amount against supply of paddy.

5. On the basis of what has been asserted in the writ petition and the materials on record, in our opinion, no case is made out for this Court to issue any direction as sought for in



the writ petition. This writ application is devoid of any merit
and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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