

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17338 of 2018

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Anil Kumar Singh Son of Late Dwarika Prasad Singh, Resident of Village-
Dewaka Kaithi, P.S.- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Managing Director, State Food Corporation, Patna Head Office, Patna.
3. The Deputy Manager, Legal, State Food Corporation, Patna.
4. The District Magistrate, Khagaria.
5. The Sub-Divisional Officer, Khagaria.
6. The Senior Deputy Collector-cum-Nodal Officer, Procurement of Surplus Paddy, Khagaria.
7. The Managing Director, Bihar State Co-operative Bank, Patna.
8. The Circle Officer, Chautham, Khagaria.
9. The District Manager-cum-Godown In-charge, Bihar State Food and Civil Supplier Corporation, Khagari

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Mr. Sushil Kumar -GP-22
		Mr. K.K. Singh, AC to GP-22
For Resp. No. 2	:	Mr. Utkarsh Upadhyay, Advocate
For Resp. No. 7	:	Mr. Nishi Nath Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 17-07-2023 Heard the parties.

This is an application for issuance of appropriate writ / writs, order / orders, direction / directions for quashing the order contained in Memo No.6298 dated 21.06.2018 passed by respondent Managing Director, respondent no.2 whereby and where under pursuant to direction / order passed by Hon'ble Court in CWJC No.9569/2017, petitioner submitted



representation regarding his claims being the chairman of Kathi PACS and though contention of petitioner was noticed but by ignoring the admitted material facts such as paddy procurement receipt and details of members/farmers who supplied paddy to PACS though available with the petitioner but ignoring all these aspects respondent gave altogether wrong finding and rejected the claim of payment of admitted due amount of the PACS against admitted supply of CMR.

A counter affidavit has been filed on behalf of the respondent nos. 2, 3, 7 and 9 and it is important to bring on record paragraphs 9 and 10 which read as follows:

'9. That it is further stated and submitted that the respondent authority has already paid all amount against real/actual purchase paddy/supplied CMR to petitioner and Claim purchase paddy i.e. 1003.20 Quintal has not produce any evidence by petitioner, then balance claim CMR price not pay due to matter the issue over disputed.

10 That in compliance of the Hon'ble High Court order dated 06.08.2018 passed in LPA No. 881 of 2016 or statutory Remedy the petitioner raised claim before



Registrar Co-Operative department'

Learned counsel for the petitioner submits that in the light of the statement made in paragraph 10, he will be appearing before the Registrar, Co-operative Department, Bihar, Patna with his grievance so that he gets justice.

In that view of the matter, the writ petition stands disposed of with a direction to the petitioner to appear before the Registrar, Co-operative Department, Bihar, Patna with his representation within four weeks from today.

The Registrar, Co-operative Department, Bihar, Patna shall take appropriate decision or refer the matter in the light of LPA No. 881 of 2016 decided on 06.08.2018.

The petition stands disposed of.

(Rajiv Roy, J)

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