

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5640 of 2020

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Semri Primary Agriculture Credit Co-operative Society Ltd. Hichchpal PO-Sathi, P.S.- Sathi, Distt. West Champaran, through it Manager namely Shrikant Kumar, S/o Ramnath Prasad, Village- Hichhopal, Post and P.S.- Sathi, Block-Narkatiyaganj, District- West Champaran (Betiya).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Principal Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Cooperative Govt. of Bihar, Patna.
4. The Joint Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna.
5. The District Magistrate, West Champaran, Betiya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5669 of 2020

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Sarriaya Primary Agriculture Credit Cooperative Society In short Sarriaya PACS through its chairman namely, Ali Ahmad, Son of Late Syed Wasi Ahmad, (Male), aged 42 years, resident of Vill and Post- Aurangabad Soya, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The Secretary Department of cooperative Dept. of Bihar, Patna.
4. The Joint Secretary Department of Food and Consumer Protection, Government of Bihar, Patna.
5. The District Magistrate Rohtas Bihar.
6. The Sub Divisional Officer (S.D.O) Dihri, Rohtas.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 5640 of 2020)

For the Petitioner/s	:	Mr. Bindhyachal Rai, Adv.
For the Respondent/s	:	Mr. Prashant Pratap, GP-2
		Mr. Gyan Shankar, Adv.



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For the Petitioner/s : Mr. Ansul, Adv.

Mr. Aditya Pandey, Adv.

For the Resp-Stat : Mr. Sarvesh Kumar Singh, AAG-13

Mrs. Sunita Kumari, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 24-08-2023

Heard the parties.

2. The petitioners, who are the Agriculture Credit Co-operative Society Ltd. had approached this Court for quashing of the order dated 19.04.2020 issued by the Food and Consumer Protection Department, Government of Bihar.

3. Pursuant to the direction of this Court, a counter affidavit has been filed bringing on record the order passed by the learned Co-ordinate Bench of this Court, adjudicating the similar dispute.

4. Considering the fact that the issue has already been settled by this Court, that apart the consequential order as contained in Memo No. 3012 dated 13.07.2020 (Annexure-B), has also been issued and the Food and Consumer Protection Department, Government of Bihar, Patna had requested all the District Magistrates to restore the operation of fair price shop (FSP) through PACS under Targeted Public Distribution System, as the work and procurement period has been over, the grievance of the petitioners has been redressed.



5. At this juncture, learned counsel for the petitioners submits that on account of the letter issued by the concerned department, huge loss has incurred to the PACS, which is also required to be compensated.

6. The aforesaid contention has been refuted by the learned counsel for the State and submits that no such prayer has been made in the writ petitions.

7. Considering the submissions made on behalf of the parties, the present writ applications stand disposed of as infructuous.

8. Needless to observe that the petitioner has available other legal recourse under the law.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24-08-2023
Transmission Date	

