

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5751 of 2023

1. Sikathi PACS Block - Rajpur, P.S. Dhansoi, District - Buxar through its Chairman namely Nishant Kumar Singh, Male, aged about 42 years, Son of Late Nand Kishor Singh, resident of Village - Sikathi, P.O. Sikathi P.S. - Dhansoi, District - Buxar (Bihar).
2. Kaithar Kala PACS, Block - Rajpur, P.S. Dhansoi, District - Buxar through its Chairman namely Vinodanand Ojha, Male, aged about 56 years, son of Sidhnath Ojha, resident of village - Parasia, P.O. Chaubey Ke Parasia, P.S. Dhansoi, District - Buxar (Bihar).
3. Mathkipur PACS, Block - Rajpur, P.S. - Dhansoi, District - Buxar through its Chairman namely Ashok Tiwary, Male, aged about 53 years, Son of Late Rampujan Tiwary, resident of Village - Matkipur, P.O. - Manikpur, P.S. Dhansoi, District - Buxar (Bihar).
4. Kharhana PACS, Block - Rajpur, P.S. Dhansoi, District - Buxar through its Chairman namely Jai Prakash Pandey, Male, aged about 46 years, Son of Jagdeo Pandey, resident of village - Kharwania, P.O. Kakariya, P.S. - Dhanosi, District - Buxar (Bihar).
5. Dhansoi PACS, Block - Rajpur, P.S. Dhansoi, District - Buxar through its Chairman namely Ravi Bhushan Singh, Male, aged about 53 years, son of Shrawan Kumar Singh, resident of village- Dhansoi, P.O. Dhansoi, P.S. Dhansoi, District - Buxar (Bihar).
6. Samhuta PACS, Block - Rajpur, P.S. Dhansoi, District - Buxar through its Chairman namely Om Prakash, Male, aged about 48 years, son of Late Raghunath Sah, resident of Village - Shisaundha, P.O. Dhansoi, P.S. - Dhansoi, District - Buxar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar.
3. The Bihar State Food and Civil Supply Corporation Limited through its Managing Director, Government of Bihar, Patna.
4. The Managing Director, Bihar State Food and Civil Supply Corporation Limited, Government of Bihar, Patna.
5. The District Magistrate, Buxar.
6. The District Cooperative Officer, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kunal Tiwary, Advocate
For B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Sushil Kumar (GP-22)
		Mr. Uday Prasad, AC to GP-22



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 07-12-2023

Heard Mr. Kunal Tiwary, learned counsel appearing on behalf of the petitioners; Mr. Shailendra Kumar Singh, learned counsel appearing on behalf of the Bihar State Food and Civil Supply Corporation Limited and Mr. Sushil Kumar, learned GP-22 for the State.

2. The petitioners have filed the writ petition for following relief(s):

“1. (i) That the instant writ application is being filed for issuance of writ/writs, order/orders, direction/directions in the nature of Certiorari for setting aside the order dated 07.03.2023 contained in Memo No. 315 and subsequent order dated 01.04.2023 contained in Memo No. 402 passed by District Magistrate, Buxar whereby and where under the District Cooperative Officer has been directed to get all the PACs notified by the said order into an agreement with the proposed Rice Mill ignoring the earlier agreement entered into between the petitioners through their agreement for milling of Arwa fortified rice till the existence of the Agreement on 31.07.2023.

ii. For direction upon the Respondent Authorities to increase the C.M.R. Limit of Arwa fortified rice upto 55,000 metric ton pursuant to the recommendation of District Magistrate, Buxar dated 25.01.2022 contained in Letter No. 4-126.

iii. For any other relief/reliefs for which the petitioners are entitled to.”

3. Petitioners are aggrieved with action of the District Magistrate, who has proceeded to restrain the petitioner during the currency of the license which was to expire on 31.07.2023. He has directed for fresh agreement with the proposed rice mill owners vide order dated 01.04.2023



contained in Memo No. 402.

4. Learned counsel appearing on behalf of the Bihar State Food and Civil Supply Corporation Limited informs this Court that if the petitioners have any grievance, they may claim compensation for loss which they have suffered before the appropriate forum.

5. Considering the aforesaid submissions, the petitioners may avail appropriate remedy in accordance with law before the appropriate forum.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	08.12.2023
Transmission Date	N/A

