

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1058 of 2018

In
Civil Writ Jurisdiction Case No.17548 of 2017

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Kumar Shantanu Son of Yogendra Prasad Sinha, Resident of Flat No.303,
Rekha Mansion Lohiya Nagar, Kankarbagh, P.S.- Kankarbagh, Patna-20.

... .. Appellant/s

Versus

1. The State Of Bihar and Ors
2. District Magistrate, Jehanabad.
3. District Certificate Officer, Jehanabad.
4. Bihar State Food and Civil Supply Corporation Ltd. through its Managing Director, Bihar State Food
5. District Manager, State Food Corporation, Jehanabad.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Prasad Singh, Advocate

For the BSFC : Mr. Utkarsh Utpal, Advocate

For the State : Mr. Anisul Haque, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 12-01-2023

Heard Mr. Jitendra Prasad Singh for the appellant
and Mr. Utkarsh Utpal for the BSFC.

2. The State is represented by Mr. Anisul Haque.

3. The challenge in this appeal is to the Order
dated 28.06.2018 passed by the learned Single Judge of
this Court in C.W.J.C No. 17548 of 2017.



4. The appellant had challenged the certificate proceedings including the order dated 28.03.2017 passed by the District Certificate Officer, Jehanabad in Certificate Case No. 02 of 2014 for realization of an amount of Rs. 1,00,10,003/- and the objection petition under Section 9 of the Bihar Public Demand Recovery Act preferred by the appellant was rejected.

5. The Learned Single Judge did not interfere with the order as the order so challenged was appealable in terms of Section 60 of the Act. A direction, therefore, was given that in case such an appeal is filed, it shall be disposed of in accordance with law.

6. Mr. Singh however has pointed out that during the pendency of this appeal, a new development has taken place wherein the Arbitration Proceedings between the parties has been decided in favour of the appellant.

7. Mr. Singh has brought on record a copy of the award of the sole Arbitrator in such proceeding.

8. In view of such Award of the arbitrator in favour



of the appellant, Mr. Singh does not press this appeal.

9. This appeal is dismissed as not pressed.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

Rishabh/Praveen

AFR/NAFR	NAFR
CAV DATE	N/A
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