

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.151 of 2024
In
Civil Writ Jurisdiction Case No.9297 of 2021

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M/s Maa Sharda Rice Mill, Bhojpur through its Proprietor Akhilesh Kumar Pandey (Male) aged about 42 years son of Satya Narayan Pandey, Resident of Village- Bharsara, Police Station- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. Mr. Amir Suhani, the Chief Secretary, Government of Bihar Patna.
2. Mr. Sandeep Poundrik, the Additional Chief Secretary cum Principal Secretary, Industries Department, Government of Bihar, Patna.
3. Mr. Vivek Ranjan Matrey, the Director Food Processing, Department of Industries, Government of Bihar, Patna.
4. Mr. Panjaj Dixit, the Director Technical Development, Department of Industries, Government of Bihar, Patna.
5. Mr. Anil Kumar, the Deputy Director Food Processing, Directorate, Industries Department, Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.
For the Opposite Party/s : Mr. Additional Advocate General 7

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

10 16-05-2025 This Court vide order dated 16.08.2023 has disposed of the CWJC No. 9297 of 2021 along with other cases pertaining to the petitioner herein and passed the following orders :

“Having regard to the same, the writ petitions are allowed setting aside the impugned order passed by the authority concerned. The petitioners are entitled to subsidy/incentives under Integrated Development of Food Processing Sector. The respondents are directed to ensure that the petitioners’ actual entitlements for grant of incentives/subsidies



under Integrated Development of Food Processing Sector are considered, determined and granted to it within a maximum period of three months from the date of receipt/production of a copy of this order.”

2. Learned counsel for the petitioner has stated that instead of paying the entire incentives, the authorities out of the total subsidy/incentive of Rs. 57.16 Lakh payable an amount of only Rs. 04,45,114/- was paid, that the balance amount of Rs. 52,70,85.50/- has been retained by the authority on the ground that a certificate case pertaining to another mill owned by the petitioner is pending adjudication. Learned counsel has stated that retaining the above amount by the authorities is without any legal sanction and the opposite parties are liable for deliberate and willful violation of the orders of this Hon'ble Court. Learned counsel has stated that the petitioner M/S Maa Sharda Rice Mills and the Maa Vindhyaasini Mini Rice Mill are two different entities and merely because the proprietor is one and the same the authorities cannot withhold the amount.

3. *Per contra*, the learned counsel appearing on behalf of the opposite parties has stated that the proprietor of the present writ petition is due an amount of Rs. 52,70,85.50/- and the same has been withheld. That in respect of the said amounts, a certificate proceedings is pending. Learned counsel has stated



that in compliance of the order of this Hon'ble Court the order dated 11.10.2023 bearing memo no. 7510 has already been passed and in case the petitioner furnishes any "No Objection Certificate" stating that the Maa Vindhyasini Mini Rice Mill is not due any amount, the authorities will release the balance amount due to the petitioner.

4. Having regard to the fact that the authorities have already passed an order on 11.10.2023 bearing memo no. 7510 pursuant to the orders of this Court. The orders stands complied. The contempt is closed leaving it open to the petitioner to challenge the said order, if he is so advised.

(A. Abhishek Reddy , J)

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