

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7108 of 2017

Manoj Kumar @ Manoj Kumar Singh son of Sri Sarju Singh resident of village Bhavpokhar P.S. Baghaila District Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food Civil Supplies and Consumer Protection, Govt. of Bihar, Patna
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh
For the Respondent/s	:	Mr.Arvind Ujjwal-SC 4
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsha Utpal, Advocates

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 19-04-2025

1. The petitioner has filed the Writ petition for the following reliefs:

“ That this is an application for issuance of an appropriate writ(s), order(s) or direction(s) for quashing the notice dated 18.03.2017 issued vide letter no. 537 under the signature of Respondent No. 3 by which the respondent No. 3 has directed the petitioner to come forward with a Bank guarantee equivalent to Rs. 33,58,350.45 till 28.03.2017 without considering the case of the petitioner.



2. At the outset, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file the objections under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 before the appropriate authority and direct the authority to pass necessary orders duly taking into account the objections filed by the petitioner.

3. The Learned counsel for the respondents reported that he has no objection, if a direction is given to the authority concerned to pass necessary orders under Section 10 of the Act duly taking into account the objections filed by the petitioner.

4. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of granting liberty to the petitioner to file his objections under Section 9 before the appropriate authority within a period of four weeks from today. On such objections being filed, the authority concerned shall pass necessary orders



under Section 10 of the Act.

5. It is needless to mention that before passing any order, the authority concerned shall give an opportunity of hearing to the petitioner. Any order passed shall be communicated to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of filing of the objections by the petitioner.

6. Till the passing of the final order by the authority concerned, it is directed that no coercive steps shall be taken against the petitioner herein.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.04.2025
Transmission Date	

