

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13189 of 2017

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M/s New Sarkar Rice Mill Through Its Proprietor Ratan Sarkar S/o Late Manoranjan Sarkar, Resident of Village-Tungidighi, Balrampur Road, P.O. and P.S.-Karandighi, District-Uttar Dinajpur west Bengal.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna
2. The District Magistrate, Araria.
3. The District Certificate Officer, Araria.
4. The Bihar State Food and Civil Supply Corporation through its Managing Director, Sone Bhawan, Birchand Patel Marg, Patna
5. That District Manager, State Food Corporation, Araria.
6. The District Manager, State Food Corporation, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Bhola Prasad Indrajeet Kumar Kajol Kumari, Advocates
For the Respondent/s	:	Mr. S.Raza Ahmad, AAG 5
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsha Utpal, Shilpi Singh, Advocates

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 14-05-2025

1. The petitioners have filed the Writ petition for the following reliefs:

“(i) For quashing the order contained in Memo No. 222 dated 12.7.2017 issued by the District Certificate Officer, Araria whereby the petitioner has been directed to deposit the dues amount before the District



Manager, SFC, Araria (Respondent No. 5) and produce no dues certificate in his court failing which warrant of attachment of movable property in execution of decree for money shall be issued against him.

(ii) For quashing the notice dated 17.3.2017 issued by the District Manager, Araria whereby the petitioner has been directed to deposit Bank guarantee against the dues of Rs. 42,57,545.01/- which recoverable from him.

And for any other relief(s) for which the petitioner is found to be entitled in the facts and circumstances of the case.

2. During the course of the arguments, the Learned counsel for the petitioner seeks indulgence of this Court to grant liberty to file the representation before the authority and direct the authority to pass necessary orders duly taking into account the objections filed by the petitioner.

3. Without going into merits of the case, the petitioner is directed to file a representation



before the authority within two weeks from the date of receipt of this order. In turn, the appropriate authority, i.e., District Manager, BSFC, Araria shall consider the representation and pass an appropriate order within two months from the date of filing of the representation.

4. With the aforesaid observations, the Writ petition is disposed of.

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2025
Transmission Date	

