

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9508 of 2017

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Sachindra Kumar Rai S/o - Late Baiju Rai Proprietor - Rajesh Rice Mill, R/o
Village - Bhagwanpur, P.S. - Vaishali, P.O. - Baluka Ram, District - Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Food and Consumer Department, Government of Bihar, Patna
2. The District Collector, District - Vaishali, Hazipur.
3. The Managing Director, Bihar State Food and Civil Supply Corporation, Bihar, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation, District - Vaishali, Hazipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Mohan Mishra
For the Respondent/s	:	Mr. Manish Kumar, GP 4
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsha Utpal, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 15-05-2025

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

*“(i) To quash the notice vide
no-1025 dated 18.03.2017 issued by
the District Manager, State Food
Corporation, Vaishali for furnishing of
bank guarantee of Rs. 256,26,841.01 in
pursuance of Hon’ble Apex Court Order
in SLP No. 1779 of 2016 dated
28.02.2016.*

*(ii) To hold and declare that
the letter issued by the respondent*



Corporation is bad and illegal in view of the fact that the petitioner is not liable to furnish bank guarantee as per the direction given by the Hon'ble Supreme Court in S.L.P. (Crl) No. 1779 of 2016 in the case of State of Bihar and others Vs. Devesh Kumar Choudhary.

(iii) To issue any other writ/writs, order/orders, direction/directions as your lordships deem fit and proper in the facts and circumstances of 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, Vaishali at Hazipur 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	

