

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12795 of 2017

Haripada Das Son of late Sushil Kumar Das Resident of Village- Karandighi,
P.S. Karandighi, District Dinajpur West Bengal, Proprietor M/S Aniket
Manish rice Mill at Khirkhir Tola, Karandighi, West Bengal.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Food Consumer and
Prtoection Department, Government of Bihar, Patna
2. The Bihar State Food and Civil Supply Corporation through its Managing
Director, Sone Bhawan, Birchand Patel Path, Bihar, Patna
3. The Deputy Chief Claim the Bihar State Food and Civil Supply Corporation,
Sone Bhawan, Birchand Patel Path, Bihar, Patna
4. The District Magistrate, Araria.
5. The District Managar, Bihar State Food and Civil Supply Corporation,
Araria.
6. The District Certificate Officer, Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the State : Mr.S.Raza Ahmad-AAG 5
For the BSFC : Dr. Kislay, Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-05-2025

1. Heard the Learned counsel for the
petitioner and the Learned counsel for the
respondents.

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

*“(i) For issuance of writ of
certiorari for quashing vide Notice No.*



221 dated 12.07.2017 whereby and whereunder the District Certificate Officer, Araria has issued warrant of Attachment of movable property to petitioner.

(ii) For direction to Respondent namely District Magistrate S.F.C Araria to obey the Hon'ble Court order dated 7.04.2017 passed in C.W.j.C. No. 14158 of 2016. The petitioner is ready to pay dues amount against Balance CMR amount after calculation of quantity of Received paddy by District Manager S.F. Araria.

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

3. At the outset, the Learned counsel for the petitioner seeks the indulgence of this Court to grant liberty to file a representation before Respondent No. 5 and to direct the respondent authority to pass necessary orders, duly taking into account the representation of the petitioner.

4. The Learned counsel for the respondents reported that he has no objection, if such a



direction is given.

5. Having regard to the above made submissions and 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 representation before the Respondent No. 5 within four weeks from the date of receipt of this order. Upon such representation being filed, the respondent authority shall dispose of the same in accordance with law, within two months from the date of filing of the representation.

6. 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.

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

8. In result, the Writ petition is disposed of.

9. Interlocutory Application(s), if any, shall



stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.05.2025
Transmission Date	

