

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13258 of 2017

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Rakesh Kumar Son of Bhola Yadav, P.S.- Alauly, District- Khagaria,
Proprietor of M/S Krishna Rice Mill Budhaura, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secetry, Food & Civil Supply Department,
Govt. of Bihar, Patna
2. The District Manager, Bihar State Food and Civil Supply Corporation,
Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Advocate
For the Respondent/s	:	Mr. S.Raza Ahmad, AAG
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) That the present writ
application has been filed for the
issuance of the appropriate writ order(s)
or direction(s) in the nature of Certiorari
to quash the letter bearing Memo no.
304 dated 27.03.2017 issued by the
District Manager, State Food
Corporation, Saharasa (vide Annexure-5
of the writ application); on the ground
that the same is against the order dated
28.02.2017 passed by the Hon'ble*



Supreme 'Court of India vide SLP (Cri.) No.-1779 of 2016 and also against the different clause of the agreement which has been entered between the petitioner and the District Manager, B.S.F.C., Rohtas.

(ii) That the present writ application has been filed for the issuance of the appropriate writ order(s) or direction(s) in the nature of Certiorari to quash the letter bearing Memo no. 2486 dated 16.03.2017 issued by the Managing Director, Bihar State Food and Civil Supplies Corporation Ltd. (vide Annexure-4 to the writ application); on the ground that the same is against the order dated 28.022017 passed by the Hon'ble Supreme Court of India vide SLP (Cri) No.-1779 of 2016 and also against the different clause of the agreement which has been entered between the petitioner and the District Manager, B.S.F.C., Rohtas;

(iii) That the present writ application has been filed for the issuance of the appropriate writ order(s) or direction(s) in the nature of Mandamus for a direction to the Managing Director, B.S.F.C., Patna and



the District Manager, B.S.F.C., Saharasa to take bank guarantee as per the agreement between the petitioner and the Bihar State Food and Civil Supplies Corporation.

(iv) And for the issuance of any other relief or relief(s) for which the petitioner is entitled to in the facts and circumstances of the present 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, Saharsa, 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	

