

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19195 of 2017

In
Criminal Writ Jurisdiction Case No.651 of 2017

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M/s Sharda Rice Mill, Industrial Area, Pandaul, Madhubani Through Its
Proprietor Sri Deepak Kumar M Son of late Kaushal Kumar Mishra Resident
of Village and P.O.Sagarpur, P.S. Sakari, District Madhubani.

... .. Petitioner/s

Versus

1. State Of Bihar represented through Chief Secretary, Government of Bihar,
Patna.
2. Principal Secretary, Department of Food and Civil Supply , Government of
Bihar, Patna.
3. District Magistrate, Madhubani.
4. Managing Director, Bihar State Food and Civil Supply Corporation Limited,
Patna.
5. District Manager, Bihar State Food Corporation, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
	:	Mr.Md.Imteyaz Ahmad, Advocate
	:	Mr. Shivam, Advocate
For the Respondent/s	:	Mr.Aag5
	:	Mr. Shailendra Kr. Singh, Advocate
	:	Mr. Utkarsha Utpal, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 09-09-2025

1. The present Writ application has been
filed for the following reliefs:-

*“1. For issuance of an appropriate
Writ/Writs, Order/Orders or
direction/directions in the nature of
certiorari for quashing the notice dated
18.03.2017 issued under the signature of*



District Manager, State Food Corporation, Madhubani raising a demand to the tune of Rs. 2,18,11,923.06 (Rs. Two Crores Eighteen Lacs Eleven Thousand Nine hundred Twenty Three and Six Paisa) for alleged CMR (Costumed Milled Rice) for the Kharif Season of the year 2011-12 taking aid of the directions issued by the Hon'ble Supreme Court in Special Leave to Appeal (Cr.) Nos.1779/2016 and its analogous cases without appreciating the fact that the premise on which the Hon'ble Apex Court has interfered with the orders passed by the Hon'ble court granting bail/anticipatory bail by incorporating certain conditions, is not applicable at all in the backdrop of the fact that the conditions of the agreement does not provide any room for the authorities to issue notice in question.

II. For issuance of an appropriate Writ/Writs, direction/directions in the nature of Mandamus or Writs, order or orders for holding an impartial enquiry against the erring officer for having issued notice without appreciating the fact that the conditions of the agreement are not the same and similar to what it was pleaded before the Hon'ble Apex



Court in the backdrop of which the order dated 28.2.2017 came to be issued incorporating additional condition by modifying the order of bail granted to the millars against whom the F.I.Rs. are said to have been lodged and further the impugned notice issued contrary to terms of the agreement and by misinterpreting the directions of the Hon'ble Court, be stayed during the pendency of the instant application.

III. For further kind indulgence of this Hon'ble court to look into the matter and the concerned respondents may be directed to produce all connected records for perusal for passing an appropriate order.

IV. For any other relief/reliefs which the Hon'ble court may grant in favour of the petitioner for doing complete justice which the Hon'ble Court may be deemed appropriate and necessary in this case."

2. During the course of arguments, the Learned counsel for the respondents contended that no representation was made before the Managing



Director/4th respondent, Bihar State Food and Civil Supplies Corporation, Patna to consider the claim of the petitioner.

3. However, taking into consideration that the Managing Director is the head of the Department, who is the competent authority, shall examine and determine the claims of the petitioner, this Court directs the petitioner to make a representation along with this order copy and all the relevant documents before the Managing Director/4th respondent within one month from the date of receipt of this order, and in turn, the Managing Director, Bihar State Food and Civil Supplies Corporation, Patna shall consider all the relevant documents annexed with the representation, including the claim of the petitioner and shall pass appropriate order within two months from the date of filing of the representation.



4. With the aforesaid direction, the Writ
petition stands disposed of.

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

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.09.2025
Transmission Date	N/A

