

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15283 of 2017

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Shambhu Kumar Paswan S/o Sri Prem Lal Paswan, Resident of Village-
Parora, P.S.-Parora, District-Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Food and Consumer Protection Deptt, Government of Bihar, Old Secretariat, Patna
2. The Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna
3. The District Magistrate-Cum-Collector, Purnea.
4. The Deputy Development Commissioner-Cum-Chief Executive Officer, Purnea.
5. The Block Development Officer, K.Nagar, Purnea.
6. The Programme Officer, K.Nagar, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Kumar Rajdeep, Adv. Mr.Dhananjaya Nath Tiwari
For the Respondent/s	:	Mr.S.Raza Ahmad -AAG5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 02-09-2025

1. The present Writ petition is filed to set aside the order dated 21.03.2017 passed in Misc. Supply Application No. 64 of 2012, by the District Magistrate, Purnea, whereby the petitioner was held responsible for the rice which got destroyed and his application was dismissed by the Collector.

2. During the course of arguments, it is brought to the notice of this Court that the



petitioner has approached this Court by way of second round of litigation. In the initial round, the petitioner had preferred CWJC No. 16875 of 2011 wherein, he was directed to deposit the differential amount of money for the rice, that was stocked with him as a PDS dealer, under the Sampoorana Gramin Rojgar Yojana. Further, vide order dated 30.01.2012, this Court disposed of the said Writ petition remanding the matter to the District Magistrate, Purnea, with a direction to examine the scheme, and to ascertain the persons responsible for its implementation, and thereafter pass an appropriate order.

4. Pursuant to the aforesaid order of this Court, the District Magistrate, Purnea, passed the impugned order dated 21.03.2017 in Misc. Supply Application No. 64 of 2012.

5. It is specific contention of the Learned counsel for the petitioner that the said order has been passed by the District Magistrate, Purnea, without complying with the directions of this Court in CWJC No. 16875 of 2011, and being aggrieved



by the same, the petitioner was constrained to file the present Writ petition, by way of second round of litigation.

6. On the other hand, the Learned counsel for the respondents submitted that in compliance of the order of this Court in CWJC No. 16875 of 2011, the District Magistrate disposed of the matter by fixing responsibility upon the petitioner, for the destruction of rice, and therefore, there is no illegality in the said order.

7. On perusal of the entire order passed by the District Magistrate, Purnea, it is evident that it does not disclose who examined the scheme and ascertained the persons responsible for its implementation. The orders in CWJC No. 16875 of 2011 clearly disclose that the matter was remanded to the District Magistrate, Purnea to examine the scheme and to identify the persons responsible for its implementation. However, the impugned order is very much silent in this regard. Therefore, the order dated 21.03.2017 passed in Misc. Supply Application No. 64 of 2012 is hereby



set aside, and the matter is remitted back to the District Magistrate, Purnea, for compliance of the orders of this Court in CWJC No. 16875 of 2011 dated 30.01.2012, and to fix responsibility upon the persons found responsible for implementation of the scheme.

8. With the aforesaid observations, the Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.09.2025
Transmission Date	

