

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14934 of 2017**

Sanjay Kumar S/o Sri Shivnandna Prasad Singh, resident of Village-  
Pachhyadih, P.S.- Muffasil, P.O.- Khalsa Dhibri, District- Nawada. At present  
Chairman Sonshihari Agriculture Co-operative Society, Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The District Magistrate, Nawada.
3. The Bihar State Food and Civil Supply Corporation through its Managing Director, Bihar, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation, Nalanda at Biharsarif.
5. The District Manager, Bihar State Food and Civil Supply Corporation, Nawada.
6. The District Co-operative Officer, Nawada cum Managing Director, the Nawada Central Co-operative Bank Ltd., Nawada cum District Certificate Officer, Nawada
7. The Block Co-operative Officer, Nawada.
8. Branch Manager, Nawada Central Co-operative Bank Nawada Branch.
9. M/S Shankar Rice Mill, Jangipur, Ashthawan, District- Nalanda, through its Miller.

... .. Respondent/s

**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr.Arbind Kumar Singh     |
| For the BSFC         | : | Mr.Shailendra Kumar Singh |
|                      | : | Mr.Utkarsha Utpal         |
| For the Respondent/s | : | Mr.S. Raza Ahmad-AAG-5    |

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY**

**ORAL JUDGMENT**

**Date : 16-06-2025**

1. The Writ petition is filed by the petitioner for issuance of an appropriate writ/order/direction commanding the respondent authorities to make payment of dues amount of Custom Milled Rice of



Rs. 35,27,445/- with interest and for quashing the notice dated 17.08.2017 along with notice under Section 7 of the Bihar and Orissa Public Demands Recovery Act, and Certificate issued under Section 5 of the Act in Certificate Case No. 56 of 2017-18 pending before the 6<sup>th</sup> respondent and to grant any other relief.

2. It is brought to the notice of this Court that the sole petitioner has died. Pursuant to the death of the petitioner, the respondents have not taken any steps against the legal heirs of the petitioner for the payment of the said amount. If at all any notice is issued to the legal heirs of the petitioner, a fresh cause of action would arise against them, which may be challenged. Therefore, nothing remains in the present Writ petition.

3. Considering the fact that nothing remains in the Writ petition for adjudication unless and until the legal heirs of the petitioner either receive a notice from the respondent authorities or make a representation to the respondent authorities for payment of the dues, cause of action will not survive,



and therefore, the writ petition is dismissed in view of the death of the petitioner.

4. The legal heirs of the petitioner are at liberty to challenge any order passed by the respondents, pursuant to the death of the petitioner, if such a situation arises.

**(G. Anupama Chakravarthy, J)**

vinita/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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