

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3173 of 2025

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Santosh Kumar Singh Son of Mukhram Singh, proprietor of Maa Mundeshwari Mini Rice Mill, Resident of Village- Baradhi, P.S- Chand, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Patna, Bihar at Patna.
2. Food and Consumer Protection Department through its Principal Secretary, Bihar at Patna.
3. Bihar State Food and Civil Supplies Corporation through its Managing Director, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No. 2, Patna-800001.
4. Managing Director, the Bihar State Food and Civil Supplies Corporation, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No. 2, Patna-800001.
5. District Magistrate-cum- Collector, Kaimur, District- Kaimur.
6. District Manager, Bihar State Food and Civil Supplies Corporation, District- Kaimur.
7. The District Certificate Officer, Kaimur, District- Kaimur.
8. The Officer In-charge, Chand, P.S- Chand, District- Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Adv.
	:	Mr. Shivam Singh, Adv.
	:	Mr. Kumar Vikram, Adv.
	:	Mr. Kumar Avinash, Adv.
	:	Mr. Alka Singh, Adv.
For BSFC	:	Mr. Shailendra Kr. Singh, Adv.
	:	Mr. Utkarsh Utpal, Adv.
For the Respondent/s	:	Mr. Vivek Prasad, Government Pleader (7)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 25-02-2025 This Court under similar circumstances rendered in

CWJC No. 326 of 2021 (Sarvajeet Kumar vs. State of Bihar &

others), has held as under:-

*“Having regard to the facts and
circumstances of the case and having heard the*



learned counsel for the parties, this Court finds that admittedly the District Certificate Officer, Kaimur at Bhabhua has neither given any clear, cogent or succinct reasons for arriving at a decision to reject the objection of the petitioner, filed under section 9 of the Act, 1914 nor the District Certificate Officer, Kaimur at Bhabhua appears to have applied his mind nor the impugned order dated 29.02.2020 shows any consideration of the objection of the petitioner, which is apparent on the very face of the impugned order dated 29.02.2020, hence, the same is not sustainable in the eyes of law, thus is quashed and the matter is remanded back to the District Certificate Officer, Kaimur at Bhabhua to pass appropriate orders in accordance with law, after consideration of the objection filed by the petitioner under section 9 of the Act, 1914. Reference in this connection be had to a decision of the Hon'ble Apex Court, rendered in the case of Oryx Fisheries Pvt. Ltd. vs. The Union of India & Ors. reported in (2010) 13 SCC 427. The District Certificate Officer, Kaimur at Bhabhua is warned to be careful in future and not pass such type of unreasoned, illegal and non-est orders, failing which this Court may take appropriate action, in case such type of Orders are brought to the notice of this Court in future."

2. A perusal of the impugned order reveals that the authority has failed to give any reason for rejecting the objections made by the petitioner under Section 9 of the Act.

3. Having regard to the above judgment passed in CWJC No. 326 of 2021, the impugned order dated 29.02.2020 passed by the District Certificate Officer, Kaimur, District-



Kaimur is set aside. The matter is remanded back to the District Certificate Officer, Kaimur, District-Kaimur to pass a reasoned order duly taking into consideration the objections filed by the petitioner as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the petitioner.

4. With the above direction, the present writ petition stands allowed.

(A. Abhishek Reddy, J)

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