

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11794 of 2025

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Mahendra Sharma Son of Sri Balmiki Sharma, resident of Village Upahara,
P.S. Upahara, District- Aurangabad, Proprietor M/s Vashundhra Rice Mills,
At- Upahara, P.S.- Upahara, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Bihar State Food and Civil Supplies Corporation Ltd. through the Managing Director, Khadya Bhawan, Daroga Prasad Rai Path, Patna, Bihar.
4. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd. Khadya Bhawan, Daroga Prasad Rai Path, Patna, Bihar.
5. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Aurangabad, District- Aurangabad.
6. The District Certificate Officer, Aurangabad, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Mohan
For the Respondent/s	:	Mr. J. K. Roy -1, Standing Counsel (13)
		Mr. U. K. Singh, AC to SC 13
For the BSFC		Mr. Shailendra Kr. Singh, Adv.
		Mr. Utkarsha Utpal, Adv.

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

2 29-07-2025 Learned counsel appearing on behalf of the petitioner

has stated that the Certificate Officer has issued two notices in

respect of the very same amounts. Learned counsel has stated

that though the petitioner has filed his objections, the same is

not yet being considered and till date no final orders are passed.

Learned counsel has stated that without passing the final orders

the authorities have passed the order for arresting the petitioner.

Learned therefore, counsel seeks a direction from this Hon'ble



Court to stay all the proceedings against the petitioner.

2. *Per contra*, the learned counsel appearing on behalf of the respondents-BSFC on instructions states that the Certificate Officer without taking into consideration the orders passed in CWJC No. 11043 of 2023 dated 23.07.2014 whereby the entire impugned proceeding in Certificate Case No. 02 of 2013-14 was quashed, the impugned notice dated 01.04.2025 (Annexurte P/13) has been issued against the petitioner in Certificate Case No. 02 of 2013-14. Learned counsel has stated that the petitioner has already filed his objections to the notice dated 03.04.2025 in Certificate Case No. 17 of 2017-18. Learned counsel has stated that the Certificate Officer may be directed to pass final orders duly taking into consideration the objections dated 18.03.2025 (Annexure P/12A) filed by the petitioner in accordance with law.

3. Having regard to the same, the present writ petition is disposed of directing the Certificate Officer to consider the objections filed by the petitioner in Certificate Case No. 17 of 2017-18 and pass a reasoned order, as expeditiously as possible preferably within a period of twelve weeks from the date of the receipt of the copy of this order.

4. It is needless to mention that before passing any



order the petitioner shall be given an opportunity of hearing.
Any order passed shall be communicated to the parties.

5. Till such time the final orders are passed in Certificate Case No. 17 of 2017-18, the authority is directed not to take any coercive steps against the petitioner.

6. It is made clear that in case the petitioner does not cooperate for final disposal of the case, the authority is free to pass necessary orders strictly in accordance with law. It is also further clarified that the respondent-authority shall not proceed with the Certificate Case No. 02 of 2013-14 as the same has already been quashed by this Hon'ble Court vide Judgment dated 23.07.2014 in CWJC No. 11043 of 2023

7. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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