

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1386 of 2016

In
Civil Writ Jurisdiction Case No.8950 of 2013

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1. The Bihar State Foods And Civil Corporation Limited Through its Managing Director, Patna, Bihar.
 2. The District Manager, Bihar State Food and Civil Supply Corporation, Madhubani

... .. Appellant/s

Versus

1. M/s Ganesh Food Processing Officer And Mill at Plot no. C-4, Industrial Area, Donar, P.S. Sadar Darbhanga, District Darbhanga through its partner Sacheen Kumar son of Sri Ram Sharan Singh at Plot no. C-4, Industrial Area, Donar, P.S. Sadar Darbhanga, District Darbhanga.
2. The State Of Bihar Through Principal Secretary, Food And Consumer Protection Department, State Of Bihar, Patna
3. The District Collector, District Madhubani
4. The Sub-Divisional Officer, Darbhanga, District Madhubani
5. The Certificate Officer, Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shailendra Kumar Singh
For the Respondent/s	:	Mr. Avanish Kumar Singh
		Mr. Mukuk Kumar Singh

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

10 07-08-2025 In the instant appeal, appellants have prayed for the following relief :

“That the present Memo of Appeal is directed against the Judgement and order dated 24.7.2014 passed by Hon’ble Mr. Justice Mihir Kumar Jha in C.W.J.C. No. 8950 of 2014 by which the



writ application filed by the petitioner-respondent has been disposed of with entire proceeding of Certificate Case No. 03 of 2013-14 including the impugned notice under section 7 of the Act is hereby quashed.”

2. On 24.07.2025, we have passed the following order :

*“Learned counsel for the appellants are relying on Supreme Court decision in the case of **Pawapuri Rice Mills vs. Bihar State Food and Civil Supplies Corporation Ltd. & Ors.** reported in 2025 (1) SC 239 PLJR.*

2. Learned counsel for the respondent – Mr. Avanish Kumar Singh & Mr. Mukul Kumar Singh is hereby directed to peruse the aforementioned decision and make his submission on the next date of hearing to the extent whether the present LPA is covered by the aforementioned decision of the Hon’ble Supreme Court or not?

3. Relist this matter on 07.08.2025.”

3. Learned counsel for the respondents, on instruction, submitted that the present matter is squarely covered by the decision cited in our earlier order dated 24.07.2025. In the light



of these facts and circumstances, order of the learned Single Judge dated 24.07.2014 passed in CWJC No. 8950 of 2013 stands rejected. Resultantly, present LPA No. 1386 of 2016 is allowed.

4. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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