

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3944 of 2018

Ashok Kumar Son of Barho Prasad Yadav, R/o Village- Gorihari, P.S.- Roh,
District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
4. The District Magistrate, Nawada.
5. The D.D.C.-cum Chief Executive Officer, District Rural Development Authority, Nawada.
6. The District Supply Officer, Nawada.
7. The Sub-Divisional Officer, Rajauli, Nawada.
8. The Block Development Officer, Block, Nawada.
9. The Block Supply Officer, Roh Block, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. Arvind Ujjwal-SC 4

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 04-07-2025

1. Heard the Learned counsel for the parties.

2. The petitioner has filed the instant application for the following reliefs:

“For setting aside the order dated 23.11.2017 passed by Hon'ble Justice Uday Sinha Judicial Enquiry Commission, Patna in Case No.



Nawada/41/CWJC 17 whereunder and whereby the Hon'ble Commission has pleased to reject the the petition filed by the petitioner without adjudicating his claim which was filed pursuant to direction of this Hon'ble Court, on the ground that petitioner failed to deposit requisite sum of 50% of the demand direction has been given to B.D.O. and the Certificate Officer to take steps to realize the balance sum in accordance with law.

(ii) Further for quashing of the order dated 04.5.11 passed by the Sub Divisional Officer, Rajauli (Nawada) whereby and where under the petitioner was directed to deposit Rs.30,29,348.80 (Rupees Thirty lacs twenty nine thousand three hundred and forty eight and eighty Paisa) in lieu of the remaining 2312.48 quintal rice which was lifted under Sampurna Gramin Rojgar Yojana (hereinafter referred to as SGRY) to be deposited within fifteen days from this order in the office of District Rural Development Authority, Nawada (DRDA) otherwise a legal action will be taken against him.

(iii) And further be pleased to grant other relief or for reliefs which the petitioner is entitled in accordance with



law.”

3. At the very outset, Learned counsel for the respondents contended that since this matter is squarely covered under the order dated 08.03.2022 passed in **CWJC No. 10446 of 2020 (Bhawesh Kumar Bhaskar Vs. The State of Bihar & Ors.)** by a Division Bench of this Court, this writ petition may also be disposed of on the same terms and conditions.

4. In the case of **Bhawesh Kumar Bhaskar (supra)** their Lordships have held as follows:-

“This Hon’ble Court had constituted the Hon’ble Justice Uday Sinha inquiry commission to adjudicate dispute between the PDS dealer and State authorities with respect to left over quantity of rice under Sampurna Gramin Rojgar Yojna (SGRY) scheme with PDS dealer.

It is contended that rice was given to PDS dealer but the scheme was discontinued and huge



quantity of rice remained in possession of the PDS dealer and State Government directed to either return the rice or refund the amount.

As there was dispute between the parties, this Court

constituted an inquiry commission headed by retired Judge (Mr. Justice Uday Sinha) where both the parties including the petitioner appeared and the liability of the petitioner was determined as Rs.19,85,332/- in 2018 itself by said commission which is to be refunded by the petitioner and due to non-refund, certificate proceeding has been initiated for realization of said amount.

In such view of the matter, this Court does not find any merit in this case and is accordingly dismissed.”

5. The writ petition is, accordingly, dismissed in light of the aforesaid judgment passed in similar matter by the Hon'ble Division Bench of this Court in **Bhawesh Kumar Bhaskar (supra)**.



6. Interlocutory Application, if any, shall
stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.07.2025
Transmission Date	

