

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1588 of 2019

In
Civil Writ Jurisdiction Case No.21393 of 2019

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Om Prakash, Son of Raghunath Prasad, Resident of Sisaundha, Dhansoi, P.S.-
Buxar, District- Buxar, Proprietor of M/S Shree Ram Mill, Buxar.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumer Protection, Govt. of Bihar, Patna.
2. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna.
3. The District Magistrate, Buxar.
4. The Superintendent of Police, Buxar.
5. The District Manager, Bihar State Food and Civil Supplies Corporation, District-Buxar.
6. The Certificate Officer, Banka.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Shashi Bhushan Kumar, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL JUDGMENT

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

Date : 04-02-2025

Heard learned counsel for the parties.

2. The appellant has assailed the order of learned Single Judge dated 14.11.2019 passed in CWJC No. 21393 of 2019. In fact, CWJC No. 21393 of 2019 has been allowed while setting aside the order dated 13.09.2019 and the matter has been remanded to the Certificate Officer to proceed afresh. In this backdrop, learned counsel for the appellant submitted that



certain factual aspects of the matter has not been taken note by the learned Single Judge.

3. Be that as it may, grievance of the appellant has been remanded to the Certificate Officer to pass a fresh order and further date has been fixed as 18.02.2025. In the meanwhile, appellant is permitted to take out all those contentions which are to be urged by him to defend his case before the Certifying Officer in writing within a period of two weeks from today. The Certificate Officer is directed to defer the matter from 18.02.2025 for further few days and complete the proceedings in the light of the learned Single Judge order dated 14.11.2019. The appellant shall co-operate before the Certifying Officer in so far as deciding the subject matter of the *lis*.

4. With the above observation, the LPA stands disposed of.

5. If any adverse order is passed against the appellant, appellant is at liberty to invoke such statutory remedy available to him.



(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

khushbu/-

AFR/NAFR	NAFR
CAV DATE	N/A
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