

Sc-23  
13.9.13

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**(Civil Writ Jurisdiction)**

**C.W.J.C. No. \_\_\_\_\_ of 2013**

Deep Narayan Sah & another ....Petitioners

Versus

The State of Bihar & others ....Respondents

**Sub:-** *Public Demand Recovery Act*

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**SYNOPSIS**

That this writ petition is for setting aside the notice dated 2.4.2013 issued by the respondent District Certificate Officer, Madhepura to the petitioners in a Certificate Proceeding vide Case No. 10/2013-14, u/s 7 of the Bihar and Orissa Public Demands Recover Act 1914 as contained in Annexure-2 for recovery of Rs. 3625291.00 with its 18% of interest was due on the corporation as the amount of rice which the petitioners did not deposit.

20.1.2012 : On there was an agreement between the petitioners and the respondent No. 4 for preparation of custom milling rice from the paddy supplied by the corporation.

4.2.2013 : On a certificate case was initiated against the petitioners vide Case No. 10/2013-14.

12.4.2013 : On the petitioners filed applications before the District Certificate Officer, Madhepura that they are ready to deposit the rest of the rice or ready to pay the amount of the rice, but there applications were not considered.

14.5.2013 : On the petitioners have deposited Rs. 5 lacs to the Food Corporation of India in this regard and they will deposit rest of the amount.

**Hence this writ application.**

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**(Civil Writ Jurisdiction)**

**C.W.J.C. No. \_\_\_\_\_ of 2013**

In the matter of an  
application under Article 226  
of the Constitution of India

And

In the matter of

1. Deep Narayan Sah Proprietor of M/s Mahavir Rice Mill,  
Aliganj, Roshanchak, Bhagalpur S/o Late Mahavir Sah,  
resident of Village-Aliganj, P.S.-Mojahidpur, District-  
Bhagalpur.
2. Rajeev Kumar S/o Deep Narayan Sah, resident of Village-  
Aliganj, P.S.-Mojahidpur, District-Bhagalpur.

....Petitioners

Versus

1. The State of Bihar *through Secretary, Food Civil supply and Commerce*  
*Deptt. Patna Patna*
2. The Managing Director, Bihar State Food and Civil Supplies  
Corporation Ltd., Patna.

3. The Collector, Madhepura
4. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Madhepura.
5. The District Supply Officer, Madhepura.
6. The District Certificate Officer, Madhepura.

....Respondents

To,

The Hon'ble Ms. Justice Rekha M. Doshit, the Chief Justice of the High Court of Judicature at Patna and her Companion Justices of the said Hon'ble Court.

The humble petition on behalf of above named petitioners;

**Most Respectfully Sheweth:-**

1. That, this is an application for issuance of an appropriate writ for setting aside the notice dated 2.4.2013 issued by the respondent District Certificate Officer, Madhepura to the petitioners in a Certificate proceeding vide Case No. 10/2013-14 u/s 7 of the Bihar and Orissa Public Demands

Recovery Act, 1914 as contained in Annexure-2 for recovery of Rs. 3625291.00 with 18% of its interest which was due on Bihar State Food and Civil Supply Corporation Ltd. as the amount of rice which the petitioner did not deposit and the petitioners were asked to file petition denying the liability if any within thirty days from the service of the notice.

2. That, the points involved in this writ petition.

- (i) Whether the Certificate Officer is justified in continuing the certificate proceeding wherein the petitioners have accepted in their reply that they are ready to deposit the amount and for that they have deposited Rs. 5 lacs ?
- (ii) Whether it is incumbent upon the respondent Certificate Officer to determine the application filed by the petitioners ?
- (iii) Whether the whole certificate proceeding is illegal and without jurisdiction because the agreement is not in accordance with Schedule-I Item-15 of the Bihar and

Orissa Public Demands Recovery Act 1914 ?

(iv) Whether the action of the respondent Certificate Officer is illegal and contrary to law ?

3. That, the petitioners are citizen of India.
4. That, the petitioner No. 1 is proprietor of M/s Mahavir Rice Mill Aliganj, Roshanchak, Bhagalpur by which rice is prepared from Paddy. The petitioner No. 2 is the son of the petitioner No. 1. They entered into an agreement with the District Manager Bihar State Food and Civil Supplies Corporation Ltd., Madhepura on 20.1.2012 for preparation of custom milling Rice from Paddy to be supplied by the Corporation. The said rice was to be delivered by the petitioners according to the terms and conditions of the agreement.

Photo/Type copy of agreement dated 20.1.2012 is being annexed herewith and marked as Annexure-1 to this writ petition.

5. That, after the said agreement the petitioners were supplied 6227.15 quintals of paddy from different purchase centres and accordingly the petitioners had to deliver 4172.19 quintals of rice to the Corporation.
6. That, after supply of said paddy the petitioners started milling the rice and delivered 2700 quintals of rice to the Corporation.
7. That, petitioners time without number requested the authorities to take delivery of the remaining rice but they did not take the delivery for the reasons best known to them.
8. That, on 2.4.2013 a certificate proceeding was initiated against the petitioners by the respondent District Certificate Officer, Madhepura vide Case No. 10/2013-14 for recovery of Rs. 3625291.00 with 18% of its interest for the rice which was to be delivered by the petitioners to the Corporation and accordingly notice u/s 7 of the Bihar and Orissa Public Demands Recovery Act 1914 was issued to the petitioners.



Photo/Type copy of the notice dated 2.4.2013 issued by the petitioners u/s 7 of the Bihar and Orissa Public Demands Recovery Act 1914 is being annexed herewith and marked as Annexure-2 to this writ petition.

9. That, in reply to the notice u/s 7 of the Bihar and Orissa Public Demands Recovery Act 1914, the petitioner filed applications before the respondent District Certificate Officer, Madhepura stating therein that they were ready to deposit rest of the rice but it was not received. However they were ready to deposite the remaining rice which was not delivered and further they were ready to deposite the amount of the said rice within two months.

Photo/Type copies of applications dated 12.4.2013, 26.4.2013, 9.5.2013 filed by the

petitioners are being annexed herewith and marked as Annexure-3 (Series) to this writ petition.

10. That, it is stated and submitted that the respondent District Certificate Officer, Madhepura has not looked into and determined the application filed by the petitioners.
11. That, the petitioners tried to obtain the certified copy of the entire order sheet of Case No. 10/2013-14 pending before the District Certificate Officer, Madhepura but the authorities refused to provide the said certificate copy of the ordersheet and therefore the petitioners apprehend that warrant of arrest might have issued against them.
12. That, it is stated and submitted that there is no agreement or written instrument in terms of Item 15 Schedule-I of the Bihar and Orissa Public Demands Recovery Act, 1914 by the petitioners, that any demand shall be recoverable as Public Demand. It has been held by this Hon'ble Court as reported in 1998 (3) PLJR 526 that dues of a Corporation

can be recovered as Public Demand only where the person liable to pay, has agreed by a written instrument that it shall be recoverable as public demand. In this case there is no such agreement or written instrument, therefore in this view of the matter this certificate proceeding is wholly illegal and without jurisdiction.

13. That, the petitioner has received altogether 6227.15 quintals of paddy from the Corporation but according to the Corporation the petitioners have received 7275.98 quintals which is a matter of verification because the petitioners have receipt of 6227.15 quintals of paddy. Therefore according to the petitioners after delivery of 2700 quintals of rice, new 1472 quintals of rice was to be delivered by them.

14. That, the petitioners are ready to deposite the amount of rice which was not delivered to the Corporation and for that uptill now they have deposited Rs. 5 lacs to the Food Corporation of India and they will deposite the rest of the amount soon.

15. That, having similar matters this Hon'ble Court has been pleased to direct the petitioners in CWJC No. 3674 of 2013 and other analogous cases to approach before the Collector on the said issue and in the mean time it has been directed for not taking any coercive action against them.

Photostat copy of the order passed in CWJC No. 3674 of 2013 and other analogous cases is being annexed herewith and marked as Annexure-4 to this writ petition.

16. That, there is no efficacious, expedient and alternative remedy other than by way this writ petition.
17. That, the petitioners have never moved before this Hon'ble Court for the relief sought for.

It is, therefore, prayed that your Lordships may graciously be pleased to admit this writ

petition issue Rule NISI calling upon the respondents and after hearing the parties set-aside the notice dated 2.4.2013 issued by the respondent District Certificate Officer, Madhepura to the petitioners in a Certificate Proceeding vide Case No. 10/2013-14 u/s 7 of the Bihar and Orissa Public Demands Recovery Act 1914 as contained in Annexure-2.

And

During pendency of this writ petitioner further proceeding before the District Certificate Officer, Madhepura in Case No. 10/2013-14 may be stayed.

And/or

Pass such other order/orders as  
your Lordships may deem fit and  
proper.

And for this the petitioners shall ever pray.

**AFFIDAVIT**

I, Rajeev Kumar, aged about 27, S/o Deep Narayan Sah, resident of Village-Aliganj, P.S.-Mojahidpur, District-Bhagalpur, do hereby solemnly affirm and say as follows:-

1. That I am petitioner no. 2 in this case and as such am fully acquainted with the facts and circumstances of the case.
2. That I have read the contents of this petition have been read over and explained to me in Hindi which I have fully understood the same.
3. That the statements made in paragraph no. 3 to 10 are true to my knowledge, those made in paragraph no. X are true to my informations derived from the records of the case which I believe those to be true.
4. That the annexures are photo copies of their respective originals.

5



Handwritten notes: 02.05.12

4866  
20-01-12

04AA 920501

12 JAN 2012

Execution of bond framed under terms and conditions with the District Manager, Bihar State Food & Civil Supplies Corporation Ltd. District Office Hatwa regarding lifting of Parboiled Rice against paddy lying in the godowns/procurement Centre under District Office Hatwa Bihar State Food & Civil Supplies Corporation Ltd. Hatwa in custom milling of Paddy. 70-D7/87-88 the proprietor of M/s. Mahavir Rice Mill declare that I am willing to mill, Bihar State Food & Civil Supplies Corporation Ltd. Paddy lying at the Hatwa centre under Bihar State Food & Civil Supplies Corporation Ltd. District Office Hatwa on delivery of Rice (RBC/HRC) as per Govt. of India specification and as per terms and conditions of Bihar State Food & Civil Supplies Corporation Ltd. in vogue.

M/s. Mahavir Rice Mill Registration No. 100221150162 date 2003-2009  
Valid upto 2012-11-30 Issued by Directors of Industry Govt. of Bihar, (VAT No. 100221150162) will deliver raw rice / par boiled rice conforming to Govt. of India uniform specification for KMs 2011-12 in 50 Kg net packing.

After deliver of rice to the Corporation, proportionate paddy will be issued to the miller by Bihar State Food & Civil Supplies Corporation Ltd.

Rice will be accepted in the same Gunny bags in which the paddy is delivered by the Corporation. For the first consignment / lot, rice will be delivered by the miller in new SBT gunnies. The excess gunny bags will be returned by the miller and if retained by the miller, then cost of excess gunny bags (in which paddy supplied to miller) will be deducted by the corporation @ 60% of new gunny bags price from the bills submitted by the millers.

The miller has already deposited Rs. 50000/- as security money through DD No. 100221150162 dt. 20-01-12 of Rs. 50000/- in favor of District Manager, Bihar State Food & Civil Supplies Corporation Ltd. Hatwa

Out turn ratio for par boiled rice is 68% and for raw rice is 67% on "As is where is" basis and by-product, broken etc. obtain from milling shall be property of miller.

Rs. 20/- per quintal as paddy milling charges will be paid for are boiled rice and Rs. 10/- per quintal milling charges will be paid for raw rice to the miller after getting the proper bill from the miller.

Rice shall be bagged in standard weight of 50Kg. and all bags are to be double machine stitched in green thread and bags should be duly stenciled with green color showing name of the miller and station, crop year, net weight, commodity, variety and lot No.

Handwritten signature and date: 20-01-12

**MAHAVIR RICE MILL**  
Mahavir Rice Mill  
Rice Mill, Hatwa DISTRICT OFFICE



22/11/12  
C-31-14  
02-11-2012

The miller will supply rice/CMR to the Corporation. The CMR  
from the miller will be transported by the Corporation to the  
Bihar State Food Corporation of India. On acceptance of CMR  
by the Corporation of India, proportionate paddy will be actually  
procured by Bihar State Food & Civil Supplies Corporation  
to the miller from different procurement Centres.

In case of any deviation from above agreed terms and conditions or  
any default on the part of the miller, security money deposited by the  
miller will be forfeited by the Corporation and legal action against the  
miller shall be taken.

The miller also agreed to abide by the instructions issued by the  
Corporation time to time relating to milling of procured paddy.

*[Signature]*  
Disputed Manager,  
Bihar State Food & Civil Supplies Corporation Ltd.

Proprietor  
*[Signature]*

**MAHAVIR RICE MILL**

Date- .....

For *[Signature]*

13/11/12

ANNEXURE-1

'Type Copy'

13

Execution of bond framed under terms and conditions with the District Manager Food and Civil Supplies Corporation Ltd. District Officer, Madhepura regarding lifting of Paddy and delivering of Rice against paddy lying in the godowns/ procurement Centres under District Office Bihar State Food & Civil Supplies Corporation Ltd., Madhepura In custom milling of paddy.

I the proprietor of M/s Mahavir Rice Mill declare that I am willing to mill, Bihar State Food & Civil Supplies Corporation Ltd. Paddy lying at the centre under Bihar State Food & Civil Supplies Corporation Ltd. District Office, Madhepura on delivery of Rice (RBC/RRC) as per Govt. of India specification and as per terms and conditions of Bihar State Food & Civil Supplies Corporation Ltd. In vogue.

M/s Mahavir Rice Mill Registration No. 100221100162 date 20.03.2009 Valid upto ..... issued by Directors of Industry Govt. of Bihar, (VAT No. ....) will deliver raw rice/par bolled rice confirming to Govt. of India uniform specification for KMs 2011-12 in 50 Kg. net packing.

After deliver of rice to the Corporation proportionate paddy will be issued to the miller by Bihar State Food and Civil Supplies Corporation Ltd.

Rice will be accepted in the same Gunny bags in which the pddy is delivered by the Corporation. For the first consignment/lot, rice will be delivered by the miller then cost of excess gunny bags (in which paddy supplied to miller) will be deducted by the corporation @ 60% of new gunny bags price from the bills submitted by the millers.

The miller has already deposited Rs. 50000/- as security money through DD No. \_\_\_\_\_ dated \_\_\_\_\_ of Rs. \_\_\_\_\_ in favour of District Manager, Bihar State Food & Civil Supplies Corporation Ltd., Madhepura.

Out turn ratio forpar boiled rice is 68% and for raw rice is 67% on "As is where is" basis and by-product broken etc. obtain from milling shal be property of miller.

Rs. 20/- per quintal as paddy milling charges will be paid for are bolled rice and Rs. 10/- per quintal milling charges will be paid for raw rice to the miller after getting the proper bill from the miller.

Rice shall be bagged in standard weight of 50 Kg. and all bags are to be double machine stltched in green thread and bags should be duty stenciled with green color showing name of the miller and station crop year, net weight, commodity, variety and lot No.

8. The miller will supply Rice/CMR to the Corporation. The CMR miller will be transported by the Corporation to the Food Corporation of India. On acceptance of CMR Food Corporation of India, proportionate paddy will be actually by Bihar State Food and Civil Supplies Corporation, Madhepura to the miller from different procurement Centre.
9. In case of any deviation from above agreed terms and conditions/ any default on the part of Miller, security money deposited by the Miller will be forfeited by the Corporation. And legal action against the miller shall be taken.
10. The Miller also agreed to abide by the instruction issued from time to time by the Bihar State Food & Civil Supplies Corporation/relating to milling of procured Paddy.

District Manager

Proprietor

Sd/-

Sd/-

Bihar State Food & Civil Supplies Corporation Ltd.

Mahavir Rice Mill

सी. पी. नं० - 577  
2/4/13  
Schedule xlv-Form NO- 52 H.  
का फारम सं० ६७ वी ।

15

Annex 2

ANNEXURE-2

बिहार स्टेट फूड एंड सिविल सप्लाय्स  
ऑरपोरेशन लिमिटेड मुंगेर

काद सं० -  
10/13-18

# सर्टिफिकेट देनदार की नोटिस

15

देखिये दफा ७, बिहार वो उड़ीसा ऐक्ट नं० ४ सन् १९१४ का ।

मेसर्स महावीर राइस मिल आगमीगंज आगमीपुर

सर्टिफिकेट देनदार का नाम श्री दीपनारायण साह फेल्ड महावीर (साह) शशीकुमार  
के नाम आपको इसकी रू० से जनाया जाता है कि आप के ऊपर  
रूपये के लिए जो आपसे C.M.R (18% अन्तिम) 3,62,5,291/- के साथ रोशन गैर आगमीगंज  
की बाबत पावना है बिहार और उड़ीसा के सरकारी मालिकों के वसूल करने के ऐक्ट सन् १९१४  
की दफा 7 की रू० से एक सर्टिफिकेट आज के दिन मेरे ऑफिस में नथी किया गया

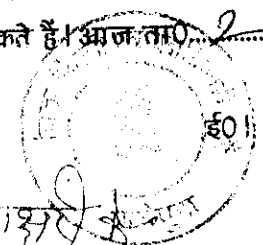
है । जो आपके ऊपर बताये हुए 3,62,5,291/- रूपये देने की अपनी जिम्मेवारी को नकारते  
है तो आप इस नोटिस को तामिल होने के तीस दिन के भीतर अपनी सारी जिम्मेवारी या उसके किसी  
हिस्से को नकारती हुई एक दरखास्त दाखिल कर सकते है । तो आप ऊपर बताये हुए तीस दिन के भीतर  
दरखास्त दाखिल करें या इस बात के लिए सबबन दिखलाईएगा या पूरा सबब न दिखलाई कि ऐसा

सर्टिफिकेट क्यों न जारी किया जाना चाहिए तो वह आपके  
3,62,5,291/- रूपये (18% अन्तिम) रूपया मोतालवे

के और 4.50 रूपया वसूल करने के खर्च के लिए) मेरे ऑफिस में न दिया जाय को  
कहे हुए ऐक्ट की शर्ती के मुताबिक जारी किया आपका अबतक बची हुई रकम इस तरह से न दी जाय  
आपको इसकी रूपया से मना किया जाता है कि आप अपनी गैर मनसूबा जायदाद या उसके किसी  
हिस्से को बिक्री दान बन्धक या और किसी को छिपाईएगा, हटाईएगा तो वह सर्टिफिकेट फोरन जारी  
किया जायगा ।

ऊपर बताये हुए सर्टिफिकेट के एक परत उसके साथ नथी की जाती है । आप सर्टिफिकेट का नम्बर और  
सन् लिखकर मनिऑडर के जरिये रूपया भेज सकते हैं । आज तारीख 2

माह 4 सन् २०१३



दिनांक 12/4/13 को उपरोक्त गैर सरकारी  
रकम उपस्थित होकर अपना  
पक्ष रखें

जिला सर्टिफिकेट ऑफिसर  
मुंगेर  
2/4/13

ANNEXURE-2

'Type Copy'

डी.बी. नं०-577/2.4.13

बिहार स्टेट फुड एण्ड सिविल कॉरपोरेशन लि०, मधेपुरा

वाद सं०-10/13-14

सर्टिफिकेट देनदार की नोटिस

देखिये दफा 7, बिहार वो उड़ीसा एक्ट नं०-4 सन् 1914 का।

मेसर्स महावीर राईस मिल अलीगंज, भागलपुर

सर्टिफिकेट देनदार का नाम प्रो० दीपनारायण साह पे०-स्व० महावीर साह वो राजीव कुमार पे०-दीपनारायण साह, सा०-रोशन चौक, अलीगंज, भागलपुर के नाम आपको इसकी रू० से जनाया जाता है कि आप के उपर 36,25,291.00 रुपये के लिए जो आपसे CMR (18% सूद अतिरिक्त) की बाबत पावना है बिहार और उड़ीसा के सरकारी मोतालवी के वसूल करने के ऐक्ट सन् 1914 की दफा 7 की रू० से एक सर्टिफिकेट आज के दिन मेरे ऑफिस में नत्थी किया गया है। जो आपके उपर बताये हुए 36,25,291.00 (18% अतिरिक्त) रुपये देने की अपनी जिम्मेवारी को नकारते हैं तो आप इस नोटिस को तामिल होने के तीस दिन के भीतर अपनी सारी जिम्मेवारी या उसके किसी हिस्से को नकारती हुई एक दरखास्त दाखिल कर सकते हैं। तो आप उपर बताये हुए तीस दिन के भीतर दरखास्त दाखिल करें या इस बात के लिए सबबन दिखलाईएगा या पूरा सबब न दिखलाईए कि ऐसा सर्टिफिकेट क्यों न जारी किया जाना चाहिए तो वह आपके 36,25,291.00 रुपये (18% अतिरिक्त) रूपया मोतलावे के और 4.50 रूपया वसूल करने के खर्च के लिए मेरे ऑफिस में न दिया जाय को कहे हुए एक्ट की शर्ती के मुताबिक जारी किया आपका अब तक बची हुई रकम इस तरह से न दी जाय आपको इसकी रूपया से मना किया जाता है कि आप अपनी गैर मनसुबा जायदाद या उसके किसी हिस्से को बिक्री दान बंधक या और किसी को छिपाईएगा, हटाईएगा तो वह सर्टिफिकेट फोरन जारी किया जायगा।

ऊपर बताये हुए सर्टिफिकेट के एक परत उसके साथ नत्थी की जाती है। आप सर्टिफिकेट का नम्बर और सन् लिखकर मनिऑडर के जरिये रूपया भेज सकते हैं। आज ता० 2 माह 4 सन् 2013 ई०।

दिनांक 12.4.13 को अधोहस्ताक्षरी  
के समक्ष उपस्थित होकर अपना पक्ष  
रखे।

ह०/-अस्पष्ट

जिला सर्टिफिकेट ऑफिसर  
मधेपुरा

दिनांक 20/11/13

श्री. मान. वि. प्र. वि. प्र. पदाधिकारी  
मुंबई

विषय: - CMR जमा करने के लिए मुझे समर्थ  
पत्र के संबंध में।

महाराज:

विनयी पत्रक कहना है कि मैं महावीर  
राईस मील, प्रोपाइटर - दीपनारायण साहू शांति -  
अलीगंज, बंगलपुर, जामा. मौजाइदपुर, जिला  
बंगलपुर का धारणी निवासी हूँ। निवेदन पत्रक  
कहना है कि मैं - चावल जमा करना  
- चावल है। जोका रज. कागवाडी में - चावल  
मधुपुरा जिला के नाम से - चावल लेने में आना  
कानी करते हैं। मुझे - चावल CMR जमा कर  
के लिए 4 (चार) महीने का समय दिया जाय।

12/11/13

मैं SWC जागवाडी जामाकीसी जी तरह करके मैं  
- चावल जमा कर रहा हूँ। लेकिन आप श्री मान  
का भी सहयोग चाहिए। जिससे कि मेरा SWC -  
जागवाडी में - चावल जमा हो सके और मैं इस  
केस से बचने के पावू। इसके लिए आप श्री मान  
का समय आचार्य बन रहे जा।

विश्वास जाय  
Rajeev Kumar  
श्री. अलीगंज बंगलपुर

ANNEXURE-3 (Series) 'Type Copy'

सेवा में,

श्रीमान् जिला निलाम पत्र पदाधिकारी,  
मधेपुरा।

विषय:- CMR जमा करने के लिए मुझे समय देने के संबंध में।

महाशय,

विनती पूर्वक कहना है कि मैं महावीर राईस मिल, प्रोपराईटर दीपनारायण साह साकिन-अलीगंज, भागलपुर, थाना-मोजाहिदपुर, जिला-भागलपुर का स्थायी निवासी हूँ। निवेदन पूर्वक कहना है कि मैं CMR चावल जमा करना चाहता हूँ। लेकिन SWC बागबाड़ी में चावल मधेपुरा जिला के नाम से चावल लेने में आना-कानी करते हैं। मुझे चावल CMR जमा करने के लिए 4 (चार) महीने का समय दिया जाय। मैं SWC बागबाड़ी में किसी भी तरह करके मैं चावल जमा कर दूँगा। लेकिन आप श्रीमान् का भी सहयोग चाहिए। जिससे कि मेरा SWC बागबाड़ी में चावल जमा हो सके और मैं इस केस से बरी हो सकूँ। इसके लिए आप श्रीमान् का सदा आभारी बना रहूँगा।

विश्वासभाजन

Rajeev Kumar

At-अलीगंज भागलपुर

सेवा में: ANNEXURE-3/1

श्री मान जिला जिला पत्र पदाधिकारी

मधेपुरा

विषय! -> मुझे CMR जमा करने के लिए कुछ समय देने के संबंध में।

महोदय,

विनीपूर्वक कहना है कि मैं -

महवीर राईस मील, अलीगंज, भागलपुर, धाना मौराधिकपुर जिला भागलपुर का स्थायी निवासी हूँ। मैं आपसे अनुरोध करता हूँ कि मुझे 2 महीने का समय देने का कृपा करें ताकि मैं इस समय के लिए CMR जमा कर सकूँ। मैं इस समय के लिए आप श्री मान का सहायता के लिए आप श्री मान का धन्यवाद करता हूँ।

- 1. मेरे अक्षरक 10 लॉट घोषित जमा किया है।
- 2. मेरे पास लगभग ₹.05 लाख बाकी है।

दिनांक 26/5/13

विश्वास गणपत  
राजीव कुमार  
पि० - दीपनाथगंज लख  
धन - अलीगंज  
धाना - मौराधिकपुर  
जिला - भागलपुर  
पिन-90 - 812005

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BIHAR JUDICIAL BIHAR

STAMP DUTY 00000

25.4.2013

374150

INDIA

GOVT. OF BIHAR REGISTRATION, EXCISE & PROMOTION DEPT. MADHEPURA SCORE, MADHEPURA

COURT FEE

Authorization No. 2037



सेवा में,

श्रीमान् जिला निलाम पत्र पदाधिकारी,  
मधेपुरा।

विषय:- मुझे CMR जमा करने के लिए कुछ समय देने के संबंध में।

महाशय,

बिनती पूर्वक कहना है कि मैं महावीर राईस मिल, अलीगंज, भागलपुर, थाना-मोजाहिदपुर, जिला-भागलपुर का स्थायी निवासी हूँ। मैं आपसे अनुरोध करता हूँ कि मुझे 2 महीने का समय देने का कृपा करें ताकि मैं इस दिए गए समय के अंदर मैं CMR भा0खा0नि0 में जमाकर सकूँ। इसके लिए आप श्रीमान् का सदा आभारी बना रहूँगा।

1. मैंने अब तक 10 लॉट चावल जमा किया हूँ।
2. मेरे पास लगभग 7.05 लॉट बाकी है।

एक प्रति पाया

26.13

विश्वासभाजन

राजीव कुमार

पिता-दीपनारायण सिंह

घर-अलीगंज

थाना-मोजाहिदपुर

जिला-भागलपुर

पिन नं0-812005

10524697087  
100221100162



# ANNEXURE-3/2

18

## Mahavir Rice Mill

9798264310  
9835080863

ALIGANJ, RUSHANCHAK, BHAGALPUR-5

Ref..... सेवा में

Date 9/5/13

श्री मान जिला निगाहण अधिकारी महोदय, गढ़ौपुर।

विषय :- चावल का दाम के लिये चावल का दाम जमा करने के संबंध में  
महाराष्ट्र।

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BIHAR  
Stamp Duty  
374150  
INDIA

निवेदन पूर्वक कहना है कि मैं महावीर राईस मिल  
अलीगंज, भागलपुर, प्रोप्राइटर, दीपनारायण साह, (लैकिन - अलीगंज  
रोशननपुर, थाना - मौप्राहिकपुर, जिला - भागलपुर का स्थायी निवासी  
हूँ। निवेदन पूर्वक कहना है कि मैं दो लॉट - चावल जमा करने के लिए  
भारतीय खाद्य निगम के SWC बागबाड़ी के प्रांगण में गाड़ी खड़ा  
किया था/ लेकिन मेरे CMR - चावल को अस्वीकृत कर दिया गया।  
और ~~मैं~~ अब - चावल जमा करने के लिए तैयार भी समाप्त  
हो गई है। लेकिन मेरी ~~मैं~~ निवेदन पूर्वक कहना है कि -  
मैं CMR - चावल का दाम के लिये मैं चावल का दाम सन  
2011-12 के अनुकूल करवा चुका हूँ। और मेरी बार-  
बार बिहार राज्य खाद्य निगम गढ़ौपुर के जिला प्रबंधक  
से सुरक्षा पर दाम जी-चावल का दाम जमा करने के लिए  
कहा जा रहा है। मैं श्री मान निवेदन पूर्वक कहना चाहता  
हूँ कि मुझे चावल का दाम जमा करने के लिए र (रु)।  
प्रदेश का समय देने की कृपा करें।

अतः श्री मान से नम्र निवेदन है कि मेरे  
इस अनुरोध को स्वीकार करने की कृपा करें। इसके लिए  
मैं श्री मान का धीन अर आभारी बना रहूँगा।

GOVT OF BIHAR  
REGISTRATION, EXCISE & PROHIBITION DEPT.  
MADHEPURA SCORE, MADHEPURA  
Authorization No. 2037

✓ 5/5/13

विश्वास भाषण  
दीपनारायण साह  
मैप्राहिकपुर - महावीर राईस मिल  
श्री रामजील कुमार  
अलीगंज, भागलपुर।

**M/s Mahavir Rice Mill**  
**Aliganj, Roshanchak, Bhagalpur-5**

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Ref.:

Date : 09.05.2013

सेवा में,

श्रीमान् जिला निलाम पत्र पदाधिकारी महोदय,  
मधेपुरा।

विषय:- चावल का दाम के बदले धान का दान जमा करने के संबंध में।  
महाशय,

निवेदन पूर्वक कहना है कि मैं महावीर राईस मिल अलीगंज, भागलपुर प्रोपराईटर 1. दीपनारायण साह, साकिन-अलीगंज, रोशनगंज, थाना-मोजाहिदपुर, जिला-भागलपुर का स्थायी निवासी हूँ। निवेदन पूर्वक कहना है कि मैं दो लॉट चावल जमा करने के लिए भारतीय खाद्य निगम के SWC बागबाड़ी के प्रांगण में गाड़ी खड़ा किया था। लेकिन मेरे CMR चावल को अस्वीकृत कर दिया गया। और अब चावल जमा करने के लिए तिथि भी समाप्त हो गई है। लेकिन मेरी निवेदन पूर्वक कहना है कि मैं CMR चावल का दाम के बदले मैं धान का दाम सत्र 2011-12 के अनुकूल करना चाहता हूँ। और मेरी बार-बार बिहार राज्य खाद्य निगम मधेपुरा के जिला प्रबंधक से दूरभाष पर बात भी धान का दाम जमा करने के लिए कहा जा रहा है। मैं श्रीमान् निवेदन पूर्वक कहना चाहता हूँ कि मुझे धान का दाम जमा करने के लिए 2 (दो) महीने का समय देने की कृपा करें।  
अतः श्रीमान् से नम्र निवेदन है कि मेरे इस अनुरोध को स्वीकार करने की कृपा करें। इसके लिए मैं श्रीमान् का जीवन भर आभारी बना रहूँगा।

विश्वासभाजन

दीपनारायण साह

मेसर्स-महावीर राईस मिल

For राजीव कुमार

अलीगंज, भागलपुर

**ANNEXURE-4****IN THE HIGH COURT OF JUDICATURE AT PATNA**

Civil Writ Jurisdiction Case No.3674 of 2013

Ravi Shankar Rai &amp; Anr

..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.3663 of 2013**

Brahmebwar Nath Chaudhan

..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.8962 of 2013**

Bishram Diwivde

..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10687 of 2013**

Ramesh Bhushan

..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10780 of 2013**

Narendra Deo

..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10781 of 2013**

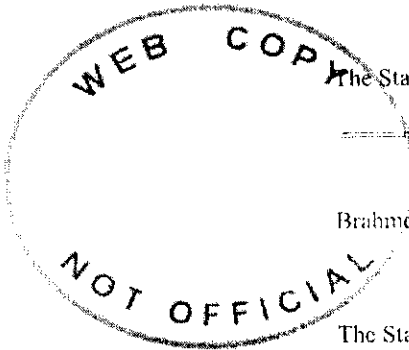
Niranjan Prasad

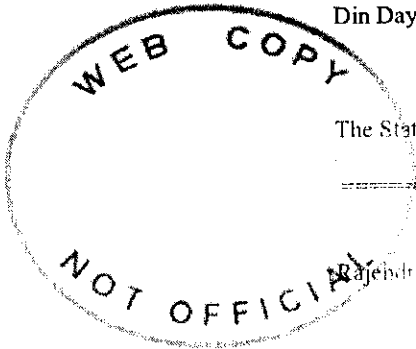
..... Petitioner/s

Versus

The State Of Bihar &amp; Ors

..... Respondent/s





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with  
**Civil Writ Jurisdiction Case No.7882 of 2013**  
Din Dayal Choubey ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

---

with  
**Civil Writ Jurisdiction Case No.8610 of 2013**  
Rajendra Prasad Sah ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

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with  
**Civil Writ Jurisdiction Case No.8883 of 2013**  
Binod Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

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with  
**Civil Writ Jurisdiction Case No.8917 of 2013**  
Uday Narayan Ray ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

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with  
**Civil Writ Jurisdiction Case No.8922 of 2013**  
Kamlesh Singh ..... Petitioner/s

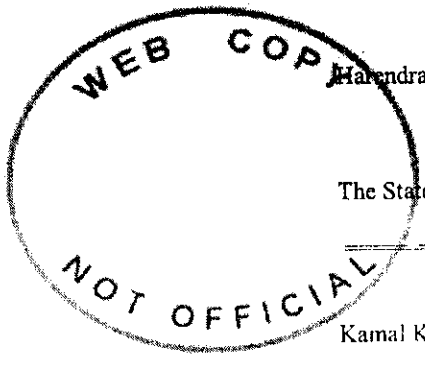
Versus  
The State Of Bihar & Ors ..... Respondent/s

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with  
**Civil Writ Jurisdiction Case No.8934 of 2013**  
Awadhesh Kumar Rai ..... Petitioner/s

Versus

21



The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.9089 of 2013  
Harendra Kumar ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.9032 of 2013  
Kamal Kishore Rai & Ors ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.9206 of 2013  
Ashok Kumar ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

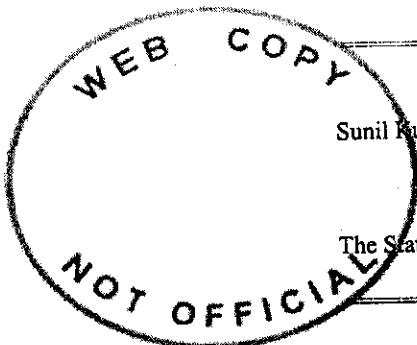
with  
Civil Writ Jurisdiction Case No.9241 of 2013  
Purushottam Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.9256 of 2013  
Munna Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.9718 of 2013  
Ashutosh Srivastava ..... Petitioner/s



Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9552 of 2013**  
Sunil Kumar Singh ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.8858 of 2013**  
Pawan Kumar ..... Petitioner/s

Versus  
Bihar State Food & Civil Supply Corporation Ltd. & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.4408 of 2013**  
Rajeev Kumar ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

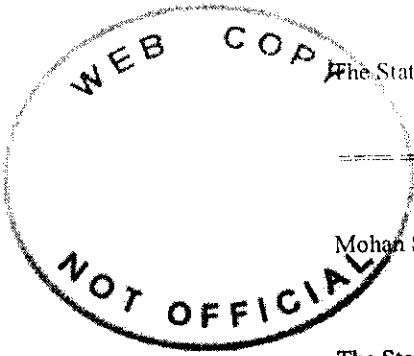
with  
**Civil Writ Jurisdiction Case No.4638 of 2013**  
Krishna Kant Singh ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.4894 of 2013**  
Jitendra Prasad Gupta ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with



**Civil Writ Jurisdiction Case No.4311 of 2013**

Ravi Kumar Gupta ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.5752 of 2013**

Mohan Sah ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.5764 of 2013**

Chandra Prakash Gupta ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.3871 of 2013**

Dadan Prasad ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.3777 of 2013**

Brij Kishore Singh ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

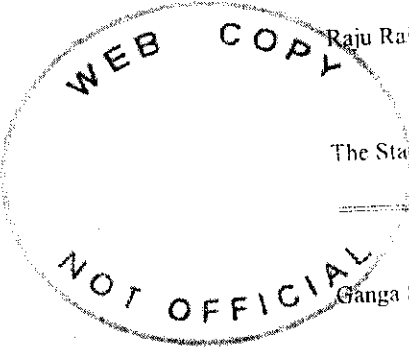
**Civil Writ Jurisdiction Case No.3829 of 2013**

Hardev Singh ..... Petitioner/s

Versus

The State Of Bihar & Ors





..... Respondent/s

with

Civil Writ Jurisdiction Case No.3738 of 2013

Raju Rai

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3742 of 2013

Ganga Sagar Sah

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3775 of 2013

Dinesh Kumar Ojha @ Dinesh Ojha

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3662 of 2013

Rajeev Rai

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

Civil Writ Jurisdiction Case No.3706 of 2013

Brajesh Kumar Tiwari

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

Civil Writ Jurisdiction Case No.10301 of 2013

Maa Vaishno Rice Mill

..... Petitioner/s



Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.5230 of 2013**  
M/S Sarsawati Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.11116 of 2013**  
Rajendra Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.3382 of 2013**  
Sidheshwar Kumar Pandey ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

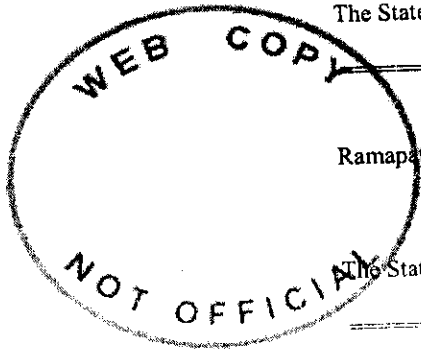
with  
**Civil Writ Jurisdiction Case No.10589 of 2013**  
Prakash Chandra Ray ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9182 of 2013**  
Bishkarma Sah ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9720 of 2013**  
Manoj Kumar Singh



..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10313 of 2013**

Ramapati Ray

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9591 of 2013**

Santosh Kumar

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10807 of 2013**

Birendra Kumar Rai

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9430 of 2013**

Shri Prabhakar Prasad

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.12242 of 2013**

Ajay Kumar Ray

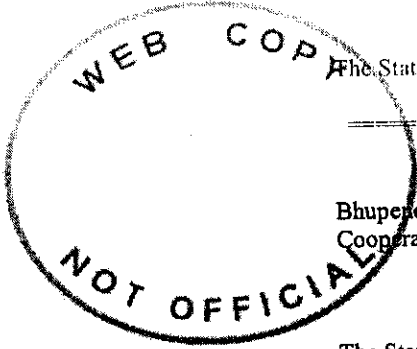
..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with



**Civil Writ Jurisdiction Case No.12090 of 2013**  
Krishna Kant Dubey ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.12976 of 2013**  
Bhupendra Singh Secretary Raghunathpur Primary Agricultural  
Cooperative Society ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.12322 of 2013**  
Santosh Sah ..... Petitioner/s

Versus  
The State Of Bihar & Ors

with  
**Civil Writ Jurisdiction Case No.13064 of 2013**  
Shree Kant Sah Proprietor Ganpati Mini Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

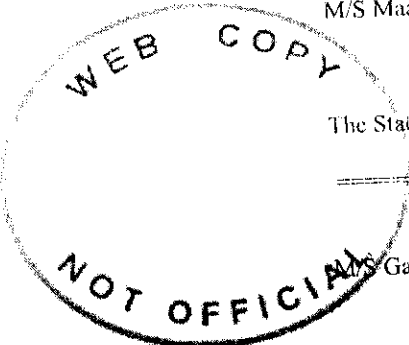
with  
**Civil Writ Jurisdiction Case No.12962 of 2013**  
Bhola Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.7086 of 2013**  
Sri Krishna Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

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with  
**Civil Writ Jurisdiction Case No.9125 of 2013**  
M/S Maa Laxmi Silky Rice Mills ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9833 of 2013**  
Gangotri Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9925 of 2013**  
M/S Uma Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9586 of 2013**  
M/S Pooja Rice Mill ..... Petitioner/s

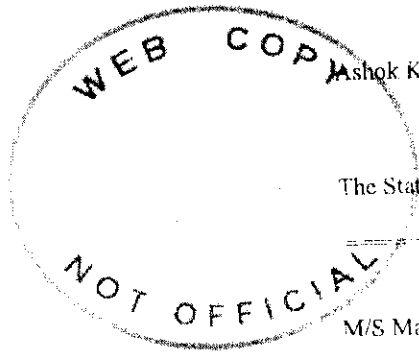
Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.9978 of 2013**  
M/S Shankar Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.10041 of 2013**  
M/S Narayan Rice Mill ..... Petitioner/s

Versus



The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.11211 of 2013

Ashok Kumar ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.8856 of 2013

M/S Maa Jagdamba Rice Mill ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.8963 of 2013

Vikash Chandra Kaushik ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.8836 of 2013

Pawapuri Rice Mills ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.10857 of 2013

Hari Ji Singh ..... Petitioner/s

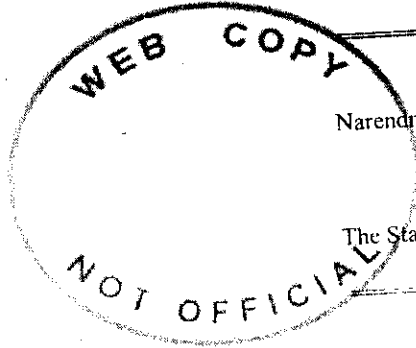
Versus

The State Of Bihar & Ors ..... Respondent/s

with

Civil Writ Jurisdiction Case No.9841 of 2013

Rakesh Kumar ..... Petitioner/s



Versus  
Bihar State Food & Civil Supply & Anr ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.11007 of 2013**  
Narendra Prasad ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.10748 of 2013**  
M/S Singh & Sons Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.10574 of 2013**  
M/S Maa Mundeshwari Mini Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.10049 of 2013**  
Radhey Shyam Kesri & Ors ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.10205 of 2013**  
Mahendra Kumar Singh @ Mahendra Singh @ Mahendra Singh & Ors ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
**Civil Writ Jurisdiction Case No.12073 of 2013**

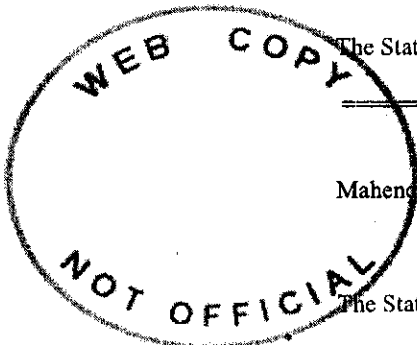
Mahendra Kumar Singh & Anr

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s



with

**Civil Writ Jurisdiction Case No.12360 of 2013**

Mahendra Kumar Singh & Anr

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.12754 of 2013**

Radhey Shyam Kesri & Ors

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.13458 of 2013**

Siyaram Sah

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.12960 of 2013**

Shatrughan Singh Secretary Uttardaha Primary Agricultural Cooperative Society

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9025 of 2013**

Pandit Chintamani Rice Mill

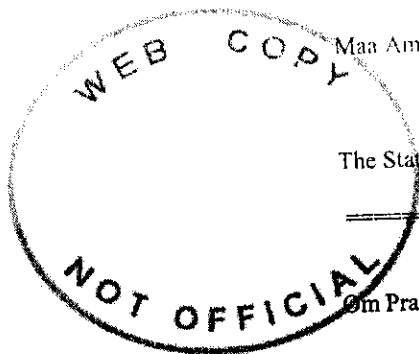
..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s





with  
Civil Writ Jurisdiction Case No.8748 of 2013  
Maa Ambe Food Processing Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.12745 of 2013  
Om Prakash Singh ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.13369 of 2013  
Birbal Singh ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

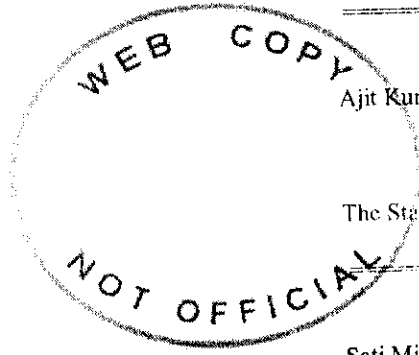
with  
Civil Writ Jurisdiction Case No.9000 of 2013  
Sudhakar Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.13746 of 2013  
Sone Valley Rice Mill ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.13674 of 2013  
Arbind Kumar Singh ..... Petitioner/s



Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.13959 of 2013**

Ajit Kumar

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.8730 of 2013**

Sati Mini Rice Mill

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.10102 of 2013**

Pawan Kumar

..... Petitioner/s

Versus

Bihar State Food & Civil Supply Corporation Ltd. & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9922 of 2013**

Arun Kumar Chaudhary

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.8297 of 2013**

Rakesh Kumar

..... Petitioner/s

Versus

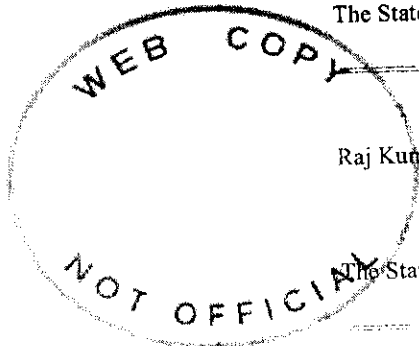
The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.11043 of 2013**

Mahendra Sharma



..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.5024 of 2013**

Raj Kumar Rai

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.4912 of 2013**

Chandrashekhar Sah

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9649 of 2013**

Pranav Kumar Singh

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.9549 of 2013**

Rajesh Kumar Mehta

..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with

**Civil Writ Jurisdiction Case No.22903 of 2012**

Ashok Kumar Singh

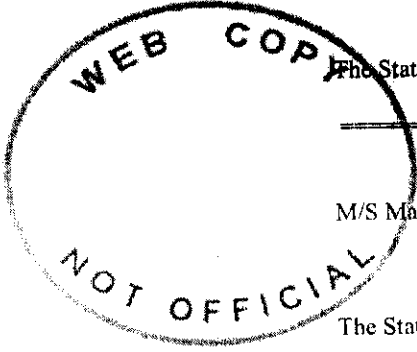
..... Petitioner/s

Versus

The State Of Bihar & Ors

..... Respondent/s

with



**Civil Writ Jurisdiction Case No.10797 of 2013**  
Ashok Kumar Singh ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.2178 of 2013**  
M/S Man Manokamna Mini Rice Mill ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.4429 of 2013**  
Ashok Prasad Sah ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.5755 of 2013**  
Vijay Prasad ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.4207 of 2013**  
Ram Jee Sah ..... Petitioner/s

Versus

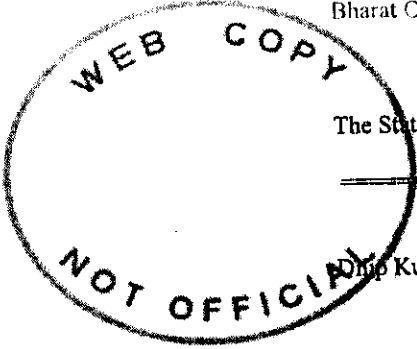
The State Of Bihar & Ors ..... Respondent/s

with

**Civil Writ Jurisdiction Case No.4409 of 2013**  
Shambhu Sah ..... Petitioner/s

Versus

The State Of Bihar & Ors ..... Respondent/s



with  
Civil Writ Jurisdiction Case No.4399 of 2013  
Bharat Ojha ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.4567 of 2013  
Dhruv Kumar Sah ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

with  
Civil Writ Jurisdiction Case No.4560 of 2013  
Sanjay Kumar Rai ..... Petitioner/s

Versus  
The State Of Bihar & Ors ..... Respondent/s

Appearance :  
For the Petitioner/s :  
For the Respondent/s :

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

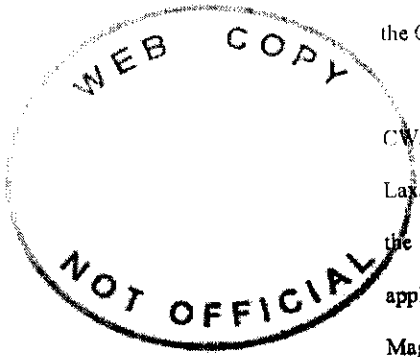
4 29.07.2013

Counsel for the petitioners in the present batch of the writ petitions are present.

Mr. R.S. Pradhan appears on behalf of the Bihar State Food and Civil Supplies Corporation. Mr. Tekriwal represents the Food Corporation of India.

The present batch of the writ petitions raise similar/identical issue with respect to liability incurred by the petitioners(mill owners) in deficient/non supply of customed meal rice (CMR) to the respondents. In some of the cases the respondents have

taken proceeding under the Bihar and Orissa Public Demand Recovery Act. However, in some cases notice(s) issued by the District Manager of the Corporation have only been challenged.



This Court by a proceeding dated 28.06.2013 passed in CWJC No. 2419 of 2013 (M/s Ganesh Galla Bhandhar Lessee Laxshman Jee Rice Mill vs. State of Bihar & Ors.) noticing the stand of the parties directed the petitioner(s) to file a detailed application/representation before the concerned District Magistrate/District Collector and the District Collector was directed to hear both the parties i.e. the millers and the authorities of the Bihar State Food and Civil Supplies Corporation. Liberty has also been granted to the parties to place on record necessary facts before the Collector. This Court deems it apposite to quote the relevant part of the order dated 28.06.2013.

"Let the petitioner, in view of the aforesaid, approach the respondent Collector, Rohtas at Sasaram within three weeks. The respondent Collector shall consider the said representation/grievance of the petitioner after affording an opportunity of placing on records necessary facts/documents to the respondent District Manager and, if possible, affording both of them personal hearing. The result of the effort/deliberation to be made by the respondent Collector shall be brought on record either by the petitioner or the respondent Corporation by filing affidavit/counter affidavit. Post this matter after 10 weeks in Admission-II."

In the light of the said order the petitioners of the present batch of the writ petitions are also directed to approach the concerned District Collector for resolving the issue(s) after affording opportunity of hearing to the parties. The Respondent Collector shall deliberate on the said issue(s) and result thereof shall be placed on record either by the petitioners or the respondents.

Until conclusion of the proceeding before the Respondent Collector, in the light of the present order, no coercive steps shall be taken against the certificate debtor(s) who are petitioners of present batch of writ petitions in the connected certificate proceedings(s).

Post this matter after six weeks in Admission II.

It is further clarified that pendency of this writ petitions or the proceedings before the Respondent Collector in the light of the present order shall not preclude the petitioners from depositing the CMR and/or the cost thereof with the appropriate authority.

**(Kishore Kumar Mandal, J)**

HR/-

