

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.14199 of 2011

Laxmi Narayan, S/O Sri Ramanand Yadav, R/O Vill.-Ghutia, P.S.-  
Chandauti, Distt.-Gaya. . . . . Petitioner.

Versus

1. The State of Bihar.
  2. The Principal Secretary, Deptt. of Rural Development, Govt. of Bihar, Patna.
  3. The District Magistrate, Gaya.
  4. The Deputy Development Commissioner, Gaya.
  5. The Director, District Rural Development Agency, Gaya.
  6. The Sub Divisional Officer, Sadar, Gaya.
  7. The Block Development Officer (Town), Gaya.
  8. The Block Supply Officer (Town Block), Gaya.
- . . . . . Respondents.

2/ 30.08.2011

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The petitioner, who is the licensee under the 1984 Unification Order as well as under the Public Distribution System (Control) Order, 2001 prays for quashing the memo issued by the concerned authorities, directing refund of value of undistributed rice under 50 % and 30 % of National Food for Work Scheme in between the years 2002 to 2006 at APL rate of Rs.13.70 per Kg.

Earlier similar matters had come up before this Court in C.W.J.C. No. 711 of 2011 (Awadh Prasad Singh Vs. The State of Bihar & Ors.) & C.W.J.C. No. 757 of 2011 (Suresh Prasad @ Raj Kumar Vs. The State of Bihar & Ors.). The aforesaid writ applications have been disposed of by order dated 06.07.2011 after noticing the submissions of learned counsel for the parties. As the facts and issues are common, the order dated 06.07.2011 passed in C.W.J.C. No. 711 of 2011 and C.W.J.C. No. 757 of 2011 would also govern the instant writ petition.

The writ petition is disposed of in terms of the order dated 06.07.2011 passed in C.W.J.C. No. 711 of 2011 and C.W.J.C. No. 757 of 2011 including interim protection as

mentioned therein, with the condition that the petitioner would either deposit 20% of the value of undistributed rice at Rs.10 per Kg. or the rice itself, if already not deposited within two months.

This order would not come in the way of petitioner, if he wants to deposit the value of rice or rice itself in excess of 20%.

**(Samarendra Pratap Singh, J.)**

Uday/

