

Sita Ram Sah vs The State Of Bihar on 4 September, 2023

Author: Mohit Kumar Shah

Bench: Mohit Kumar Shah

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1867 of 2023

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Sita Ram Sah S/o Mahadev sah Resident of Vilalge-Balwahat, P.S.-Simri
Bakhtiyarpur, District-Saharsa.

... .. Petiti

Versus

1. The State of Bihar through the Chief Secretary Old Secretariat Bihar Patna.
2. The Principal Secretary Health Department Govt. of Bihar Patna.
3. The Joint Secretary Health Department Govt. of Bihar Patna.
4. The Commissioner Koshi Division Saharsa.
5. The District Magistrate Saharsa.
6. The Adjudicating Officer Cum Additional Collector Saharsa.
7. The Food Safety Officer Koshi Division Saharsa.
8. The Designated Officer Koshi Division Saharsa.
9. The Land Acquisition Officer Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Respondent/s : Mr.Ramadhar Singh, GP-25
Mr.Upendra Pd. Singh, AC to GP-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-09-2023

1. The present writ petition has been filed seeking the following relief(s):-

"1.(i) For setting aside the order dated 30/11/18 (Annexure 3) Passed by the Adjudicating officer Cum Additional Collector Saharsa in Adjudication Case No 6/18-19 whereby and whereunder the Petitioner has been directed to deposit the fine of rupees two lakhs.

(ii) For restraining the respondents from initiating Certificate Case Proceeding against the Petitioner.

(iii) For direction upon the respondents not to take Patna High Court CWJC No.1867 of 2023(2) dt.04-09-2023 any follow up action against the Petitioner in view of the

aforesaid order as contained in Annexure- 3 of this Petition."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the impugned order dated 30.11.2018, passed by the Adjudicating Officer-cum-Additional Collector, Saharsa in Adjudication Case No.6 of 2018-19, by filing appropriate appeal under Section 76 of the Food Safety and Standards Act, 2006. Liberty so sought is granted.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J) sonal/-

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