

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6454 of 2014

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1. Vinay Kumar Thakur Son Of Biseshwar Prasad Thakur Resident Of
Bhawanipur Jirat, P.S. Chhatauni, District And Town- Motihari, East
Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, East Champaran, Motihari
3. The Managing Director, Bihar State Food And Civil Supplies
Corporation, Birchand Patel Path, Sone Bhawan, Patna
4. The District Manager, B.S.F.C., East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh

For the Respondent/s : Mr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 13-07-2015 Heard Mr. Lal Babu Singh for the petitioner and Mr.

Shailendra Kumar Singh for the respondent Managing Director,

Bihar State Food and Civil Supplies Corporation (for short

B.S.F.C.). A.C. to S.C. 28 for the State is also present.

Petitioner was appointed/engaged as Transporting-cum-
Handling Agent for the period 2012-13. The petitioner claims to
have completed the work according to the requirement and
submitted the bills in the sum of Rs. 10 lacs and odd together with
the required certificates in 2013. The grievance is that the
respondent District Manager has not cleared the bill inasmuch as
the security deposit and the land which was mortgaged in favour
of the B.S.F.C. have also not released.

A counter affidavit was required from B.S.F.C. vide order

dated 12.1.2015 which has not been filed. However, Mr. Singh, on instruction, states that if the claim of the petitioner is pending before the District Manager, this Court may direct for consideration and payment thereof by the concerned District Manager, if not already cleared/paid.

Counsel for the petitioner has also agreed for disposal of the case in the aforesaid terms.

Having heard the parties and in the light of submissions made by them, the present writ petition is disposed of by directing the respondent District Manager, B.S.F.C., Motihari (respondent no. 4) to examine the claim/bill of the petitioner already submitted before him and clear the same for payment in respect of the admissible dues as quickly as possible preferably within eight weeks from the date of receipt/production of a copy of this order. In case the said respondent fails to do so, the respondent shall pay interest @ 10 % per annum on the security deposit which the petitioner has made from the date of expiry of the time granted by the present order. This order has been passed on the premise that the petitioner shall fully cooperate with the authority in consideration of the claim.

(Kishore Kumar Mandal, J)

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