

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3589 of 2015

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Rajeev Ranjan @ Rajeev Kumar son of Rajeswar Prasad Singh, Proprietor M/S
Rajeev Rice Mill, Naubatpur, Resident of village Korwan Sadan, Naubatpur, P.S.-
Naubatpur, Dist- Patna

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna
2. The State of Bihar through Principal Secretary, Department of Food and Civil Supplies, New Secretariat, Patna
3. The Bihar State Food and Civil Supply Corporation Limited, through its Managing Director, Sone Bhavan, Veerchand Patel Path, Patna
4. The District Manager, Bihar State Food and Civil Supply Corporation Limited, East Boring Canal Road, Patna, Bihar
5. The District Magistrate, Patna
6. The Food Corporation of India through its Managing Director, New Delhi
7. The Secretary, Food Corporation of India, New Delhi
8. The Area Manager, Food Corporation of India, District- Patna
9. The Divisional Manager, Food Corporation of India, Patna Division, District- Patna
10. The Assistant Godown Manager, Bihar State Food and Civil Supply Corporation Limited, Naubatpur, District- Patna
11. The Godown Manager, Food Corporation of India, Phulwarisharif, District- Patna
12. The Certificate Officer-cum-Sub-Divisional Officer, Danapur
13. The Managing Director, the Bihar State Food and Civil Supply Corporation Limited.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Madhuri Lata, Advocate
For Respondent Corporation :		Mr. A.N. Rai, Advocate
For F.C.I.	:	M/s. Prabhakar Tekriwal and Shashi Dhar Jha, Advocates
For the State	:	Mrs. Rani Bhardwaj, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 20-03-2015

Learned counsel for the petitioner is permitted to
implead the Managing Director, Bihar State Food and Civil Supply
Corporation Ltd. as respondent no.13.

Heard learned counsel for the petitioner and the respondents.

This writ application has been filed for a direction to the respondent Bihar State Food and Civil Supply Corporation (hereinafter referred to as “the Corporation”) to lift custom mill rice and/or paddy from the godown of the petitioner and to decide the claim of the petitioner or dispute between the parties through the arbitrator as per agreement between the parties on 19.02.2013.

Learned counsel appearing for the respondents has submitted that for invoking such provision of conciliation or arbitration the petitioner was required to move before the authority concerned but he has not approached such authority for such purpose and, in the meantime, certificate case now has been initiated against him for recovery of the amount whereas the petitioner’s claim is that he had approached several authorities for the said purpose. One of such representation has been appended as Annexure-7 which appears to have been filed before the District Manager of the Corporation.

It is further contended on behalf of the respondents that this case may also be disposed of in terms of the order dated 22.07.2014 passed by a Co-ordinate Bench of this Court in C.W.J.C. No.9133 of 2014 and other analogous matters.

Accordingly, this writ application is being disposed of



granting liberty to the petitioner to approach the respondent no.13 for the purpose of resolution of dispute in terms of Clause-16 of the agreement within a period of two weeks. On filing of such representation before the Managing Director, let steps for conciliation be taken by him by fixing dates. It is expected that the petitioner would also co-operate and would appear on the date fixed. It is also expected that final decision would come up within a period of four weeks thereafter. If the petitioner does not get any relief then it would be open to him for seeking reference for arbitration before the Collector of the district.

In the meantime, let no coercive steps be taken for realization of the amount concerned till a decision is taken by the Managing Director of the Corporation.

(Dr. Ravi Ranjan, J)

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