

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5906 of 2015

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M/s Kuber Modern Rice Mill, a Proprietorship Firm, having its place of business at Mahadewpur, Phulari, P.O. & P.S. Bihta, District Patna, through its Proprietor, Pawan Kumar, son of Late Radha Krishna Sah, resident of village Piro, P.O. & P.S. Piro, District Bhojpur.

.... Petitioner

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Sone Bhawan, Birchand Patel Path, Patna, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Sone Bhawan, Birchand Patel Path, Patna
3. the District Manager, Bihar State Food & Civil Supplies Corporation Limited, Madhubani.
4. The Food Corporation of India, through its General Manager, Arunachal Bhawan, Exhibition Road, Patna- 800001.
5. The Godown Manager, Food Corporation of India, Paddy Procurement Center Pandol, Madhubani.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Suraj Samdarshi, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For F.C.I.	:	Mr. Prabhakar Tekariwal, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 13-05-2015 Heard parties.

Learned counsel for the petitioner submits that there is a dispute regarding settlement of the account of the petitioner for receipt of paddy and supply of rice to the Bihar State Food & Civil Supplies Corporation Limited for the kharif marketing season 2012-13. It is submitted that the petitioner had made a representation before the District Manager concerned but no decision could be taken and at the same time process of recovery has been initiated.

In the aforesaid background of the matter this Court would incline to dispose of the writ application granting liberty to the petitioner to approach the respondent no. 2, i.e., Managing Director, BSFC by filing a representation with all necessary document along with a copy of this order within a week.

In case such representation is filed, let the same be considered in accordance with law by the respondent no. 2 and take steps in accordance with terms and conditions of Clause 16 of the agreement concerned within a period of three weeks from the date of filing of such representation.

Let no coercive action be taken for recovery of the amount connected with the aforesaid supply of rice till the finality is given by the respondent no. 2 to the proceeding under Clause 16 of the agreement.

(Dr. Ravi Ranjan, J)

Spd/-

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