

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3940 of 2015

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Ekwari Primary Agriculture Credit Society (PACS) at Ekwari, P.S. - Sahar,
District - Bhojpur, through Chairman, Ram Anugrah Singh, S/o Late
Dinanath Singh, R/o Village- Ekwari, P.S. - Sahar, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary Food and Civil Supply Department, Govt. of Bihar at Patna.
2. Principal Secretary Food and Civil Supply Department, Govt. of Bihar at Patna.
3. The Bihar State Food and Civil Supply Department, Govt. of Bihar at Patna.
4. The Managing Director, the Bihar State Food and Civil Supply Corporation Ltd., Bihar at Patna.
5. The District Manager, the Bihar State Food and Civil Supply Corporation Ltd., Bhojpur at Arah.
6. The In Charge, Bihar State Food Corporation, Procurement Centre at Sahar, Bhojpur.
7. The Enforcement Officer, for Paddy cum Block development Officer, Sahar, Block, Sahar, Bhojpur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : Mr. P.K. Verma, AAG-5
Ms. Jahan Ara, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 30-10-2015 Heard Mr. Amresh Kumar Sinha, learned counsel for the

petitioner, Mr. Shailendra Kumar Singh for the Corporation and

learned counsel for the State.

Matter relates to the procurement year 2014-15. The
petitioner happens to be a cooperative society and the grievance is
that as against 22,000 quintals of paddy supplied by the society to

the Corporation, they have received payment only respect of 21,750 quintals.

Mr. Sinha, learned counsel for the petitioner with reference to the chart present at Annexure-1 submits that the Purchase Center In-Charge has certified the delivery of 2200 metric tons of paddy which is equivalent to 22,000 quintals, by the petitioner society whose name appears at serial no. 4 of the chart. Mr. Sinha has also referred to the enforcement certificate issued by the Enforcement Officer dated 11.4.2014 to support that 22,000 quintals of paddy had been purchased by the society. With reference to the acceptance note present at Annexure-3 series he submits that the Corporation has given acceptance of only 21,750/- quintals of paddy leaving a balance of 250 quintals. Although Mr. Sinha has referred to a representation present at Annexure-4 but the same is unsigned.

In the circumstances, the writ petition is disposed of with liberty to the petitioner to raise his grievance before the District Manager, Bihar State Food and Civil Supplies Corporation, Bhojpur at Arrah, the respondent no. 5 along with supportive documents and which representation filed by the petitioner would be considered and disposed of in accordance with law by the District Manager within six weeks of its receipt and in

case the grievance of the petitioner is upheld, the payment be made within two weeks thereafter. In case the petitioner is not found entitled to any further payment, then his claim be disposed of by a speaking order.

This disposes of the writ petition.

(Jyoti Saran, J)

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