

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7479 of 2014

Sunil Kumar Mishra, son of Raj Nandan Mishra, Resident of Mohalla - Mithila Colony, Kiran Chowk, P.O. Sitamarhi Bazar, P.S. Sitamarhi, District - Sitamarhi
..... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department/Govt. of Bihar, Patna
2. Development Commissioner, Bihar, Patna
3. District Officer (Magistrate), Sitamarhi
4. District Supply officer, Sitamarhi
5. Sub Divisional Officer, Sitamarhi Sadar
6. Block Development Officer, Dumra, Sitamarhi
7. Bihar State Food and Civil Supplies Corporation, Patna through its Managing Director
8. District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Sitamarhi .
9. District Certificate Officer, Sitamarhi.
10. Deputy Manager (Claim), S.F.C. Bihar, Patna

..... Respondents

Appearance :

For the Petitioner : Mr. Ishwari Singh
Mr. Purushottam Kumar Singh, Advocates
For the State : Mr. Satyendra Kr. Jha, AC to GP-3
For the BSFC : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-08-2016

As prayed, learned counsel for the petitioner is permitted to implead District Certificate Officer, Sitamarhi and Deputy Manager (Claim), S.F.C. Bihar, Patna as respondent nos. 9 and 10 respectively, in the writ petition in course of the day.

2. The present writ petition has been filed for quashing the entire proceedings of Certificate Case No. 13/2013-14 (S.F.C, Sitamarhi Versus Shri Sunil Mishra) dated 13.02.2014,



whereby and whereunder a demand of Rs. 34,69,069.20/- (Thirty Four Lakh, Sixty Nine thousand Sixty Nine Rupees and Twenty Paise) has been made against the petitioner; and for directing the respondents authorities to pay a sum of Rs. 15,00,000/- (Fifteen Lakh) to the petitioner which was spent by him in transportation of wheat to F.C.I.

3. Learned counsel for the petitioner makes statement at the Bar that he has made payment of Rs. 17,34,535/- being his half share of the total dues in question and hence, his certificate case insofar as it concerns him stands satisfied. It has been stated that the respondent-Corporation has issued letter no. 1367 dated 15.06.2015 to the above effect.

4. Learned counsel for the respondent-Corporation seeks time to obtain instruction with regard to the aforesaid letter dated 15.06.2015.

5. Having regard to the nature of the statement made by the petitioner, this writ petition is disposed of with liberty to the petitioner to approach the District Certificate Officer, Sitamarhi (respondent no. 9) with his claim that he had already made payment of Rs. 17,34,535/- for due verification.

6. As regards the claim for transportation charges, the Deputy Manager (Claim), S.F.C. Bihar, Patna (respondent no.

10) is directed to consider and dispose of the petitioner’s representation dated 08.02.2014 (Annexure-18) in this behalf, if still pending, in accordance with law.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.08.2016
Transmission Date	N/A