

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5354 of 2014

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JAGESHWAR YADAV SON OF LATE JITU YADAV RESIDENT OF
VILLAGE - PATAUNA, P.S. BIHARSHARIF, DISTRICT - NALANDA

.... PETITIONER

VERSUS

1. THE STATE OF BIHAR THROUGH CHIEF SECRETARY, GOVT. OF BIHAR, PATNA
2. THE MANAGING DIRECTOR, BIHAR STATE WAREHOUSING CORPORATION, MAURYA LOK, PATNA
3. THE AREA MANAGER, FOOD CORPORATION OF INDIA, DISTRICT OFFICE, EXHIBITION ROAD, PATNA - 800001
4. THE MANAGING DIRECTOR, BIHAR STATE FOOD CORPORATION, PATNA
5. THE AREA MANAGER, FOOD CORPORATION OF INDIA, DISTRICT OFFICE, MUZAFFARPUR
6. THE AREA MANAGER, FOOD CORPORATION OF INDIA, DISTRICT OFFICE, NALANDA
7. THE GENERAL MANAGER, FCI, REGIONAL OFFICE, PATNA
8. THE DISTRICT MAGISTRATE, NALANDA
9. THE DISTRICT MAGISTRATE, SITAMARHI

.... RESPONDENTS

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Appearance :

For the Petitioner/s :	Mr. Rama Kant Sharma, Sr. Advocate
	Mr. Lakshmi Kant Sharma, Advocate
For the FCI	Mr. Prabhakar Tekriwal, Advocate
For the B.S.F.C.	Mr. A.N.Rai, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-01-2016

Heard learned counsel for the petitioner and learned
Counsel for the State.

2. The present writ petition has been filed for a
direction to the respondents to make payment of the amount
claimed by the petitioner to be due to him pursuant to an



agreement between the petitioner and the respondent Bihar State Warehousing Corporation, Maurya Lok, Patna for transporting food grains and for which bills have been submitted by the petitioner.

3. It is submitted on behalf of the petitioner that despite being entitled to the amount as claimed by the petitioner, only partial payment has been made, leaving a considerable amount outstanding to be paid.

4. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the Managing Director, Bihar State Warehousing Corporation, Maurya Lok, Patna (Respondent No. 2) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 9% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case

the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

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