

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4139 of 2016

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1. Abhay Kumar Yadav Son of Basudeo Yadav Resident of Village
Dhoraiya P.s Dhoraiya District Banka.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Food
and Civil Supply, Government of Bihar, Patna
2. The Managing Director, Bihar State Food & Civil Supply Corporation
Ltd., Sone Bhawan, 5th Floor, Bir Chand Patel Path, Patna.
3. The District Magistrate, Banka.
4. The District Manager, Bihar State Food Corporation Ltd Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. R.R.K. Pandey, SC-29

For the B.S.F.C. : Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-03-2016 Heard Mr. Sanjay Kumar Tiwary, learned counsel for the

petitioner, learned counsel for the State and Mr. Shailendra Kumar

Singh learned counsel appearing for the Bihar State Food and

Civil Supplies Corporation.

The petitioner prays for a writ in the nature of mandamus
commanding the authorities of the respondent- Bihar State Food
and Civil Supplies Corporation (hereinafter referred to as ‘the
Corporation’) to make payment of the price of 390 quintals of
paddy supplied by the petitioner who happens to be the Chairman
of Kurma Primary Agricultural Credit Cooperative Society,
Dhoraiya in the District of Banka.



Mr. Tiwari, learned counsel for the petitioner with reference to the details of purchase present Annexure-2 as well as the receipt granted by the Purchase Centre Incharge present at Annexure-3 series submits that the purchase is not in dispute. It is submitted that whereas the society supplied 4370 quintals of paddy to the Corporation and have also been partially paid for the same but they are yet to receive payment in respect of 390 quintals of paddy for which recommendation was made by the Purchase Centre incharge, Dhoraiya to the District Manager, Banka as manifest from Annexure-5. He submits that since the payment is not forthcoming hence the present writ petition.

Having heard learned counsel for the parties and considering the nature of grievance raised in the background of the documents relied upon by the petitioner, I deem it fit and proper to dispose of the writ petition with the direction to the District Magistrate, Bihar State Food and Civil Supplies Corporation, Banka to consider the grievance of the petitioner regarding payment of 390 quintals of paddy for which recommendation was also made by the Purchase Centre Incharge vide Annexure-5 and make payment of the price as found admissible within a period of six weeks from the date of receipt/production of a copy of this order. It goes without saying that in case the claim of the petitioner

is not found admissible the same should be disposed of by speaking order but after giving an opportunity of hearing to the petitioner. The order be also passed within the period stipulated above.

(Jyoti Saran, J)

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