

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10477 of 2017

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Amrendra Kumar Patel Son of Late Hirdyanand Singh, Resident of Village-Siow (Shiopati), P.O. + P.S.-Bhabhua District-Kaimur.

.... Petitioner/s

Versus

1. The Bihar State Food & Civil Supply Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R Block, Road No2, Patna-800001.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Ltd, Khadya Bhawan, Daroga Rai Path, R Block, Road No. 2, Patna-1
3. The District Manager, Bihar State Food & Civil Supply Corporation Ltd. Rohtas, District-Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai

For the Respondent/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 12-10-2017

Heard learned counsel for the petitioner and counsel for the State as also counsel for the B.S.F.C.

In this case, the petitioner is seeking relief of giving a direction to the respondent Corporation for payment of Rs. 50,40,167.17/- along with 18% interest.

From the writ application, it appears that the petitioner is a proprietor of Manokamna Food Product, Bhabua, had intended to purchase wheat at the rate of 1426.04 per quintal and also deposited 10% of the security amount along with the price of wheat. Total amount he has deposited as a consideration amount was Rs. 4,49,48,500/- against 33468.72 quintals of wheat but, the B.S.F.C.



could not supplied the wheat proportionate to the deposit of consideration amount and, thereby, his huge amount of Rs. 86,40,167.17 remained pending with the B.S.F.C. Out of that, Rs. 36,00,000/- have been paid but, Rs. 50,40,167.17/- remained unpaid and the Managing Director has directed to recover the amount from the person concerned and make payment to the petitioner. This order has been passed on 8.5.2017 but, till date no payment has been made to the petitioner.

In that view of the matter, this Court directs the B.S.F.C. to make payment of Rs. 50,40,167.17/- to the petitioner within a period of eight weeks from the date of receipt/production of a copy of this order, in failure to make payment, the entire amount will carry interest at the rate of 12% compound interest.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.10.2017
Transmission Date	NA

