

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10696 of 2016

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Nand Kishore Singh, Son of Jaigobind Singh, resident of village + Post- Derwan,
Police Station-Kudra, District- Kaimur at Bhabua

.... Petitioner

Versus

1. The State Food Corporation, Patna through its Managing Director, Bihar, Patna
2. The Managing Director, S.F.C., Bihar, Patna
3. The District Manager, S.F.C., Kaiur at Bhabua

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.
For the Corporation: Mr. Shailendra Kumar Singh, Adv.
For the State : Mr. Kumar Manish, S.C.-25

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-03-2017

Heard learned counsel for the petitioner and learned
counsel for the Bihar State Food and Civil Supplies Corporation.

2. In this case, the petitioner is challenging the letter
No.437 dated 05.05.2016 issued by the District Manager, S.F.C.
Kaimur at Bhabhua for depositing C.M.R. amount, which has been
shown outstanding dues against the petitioner for the Financial
Year 2012-13.

3. As per the claim of the petitioner he has already
deposited the C.M.R. amount even than without proper
reconciliation of the account the District Manager has wrongly



asked him to deposit the amount more than 40 lakh whereas as per the petitioner he has already deposited 6,700 quintal of C.M.R. and apart from C.M.R he has also deposited an amount of Rs.11, 000/-.

4. It appears that a Certificate proceeding has already been initiated against the petitioner, the petitioner has received the notice.

5. In such view of the matter, let the petitioner file a proper application before the Certificate Officer. If such an objection is filed by the petitioner, in such circumstance, the Certificate Officer, will be obliged to examine the objection of the petitioner and will make endeavour to make reconciliation of the account after giving due notice to the parties. If the Certificate Office does not find any substance in the claim of the petitioner, in such circumstance, he will be obliged to pass a reasoned order in accordance with law.

6. While deciding the matter, the Certificate Officer will also examine the relevancy of letter No.891 dated 29.01.2015 (Annexure-2 to this writ application). But, as per the learned counsel for the Corporation the aforesaid letter has been rejected by the State Government.



7. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	21.03.2017
Transmission Date	N/A.

