IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.795 of 2017

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Ashok Kumar Singh Son of Sri Nand Kishore Singh Resident of Village- Math Bahwari, P.S. Pipra Kothi, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Government of Bihar.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Limited, Khadya Bhawan, 4th Floor, Daroga Prasad Ray Path, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. District Manager, Bihar State Food and Civil Supplies Corporation Limited, Motihari, East Champaran.
5. The Transport Sub-Committee, Through District Manager, Bihar State Food and Civil Supplies Corporation Limited, Motihari, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Birendra Kr. Sinha, Sr. Adv. Mr. Ajay Kr. Singh, Adv.
For the BSFC	:	Mr. Shailendra Kr. Singh, Adv.
For the State	:	Mr. Alok Ranjan, AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 16-02-2017

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 challenging the action of the respondents in rejecting the claim of the petitioner for being appointed as Transporter cum Handling and delivery agent for Doorstep delivery of food grains from the State Food Corporation Go-down to licensed Fair Price Shops against the available vacancy but the impugned order vide Letter No. 1574 dated 19.12.2016, so far dealing with the petitioner is concerned, is at Item No.8 where a sole ground has been shown that the petitioner has not attached the Tax Token. Learned counsel for the petitioner submits that the District Transport Committee overlooked the fact with regard to payment of Tax Token mentioned in the owner book itself. It has been recorded that up to the year 2028, all taxes including road tax have been paid to the State Exchequer, so the ground, which has been assigned, is completely misconceived and unsustainable.

Learned counsel for the State and Corporation are not resisting or objected the submission of the learned counsel for the petitioner as Annexure-5 itself indicates that at the stage of technical bid the documents were found proper including tax token.

In such view of the matter, this Court directs the District Transport Committee to examine the case of the petitioner in the light of the observation made hereinabove and, if there is no other deficiency, the petitioner should also be accommodated in allocation of the work. This District Magistrate will be obliged to call meetings of the District Transport Committee within a period of one month from the date of receipt/production of a copy of this order.

With the aforementioned observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.02.2017
Transmission Date	