

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2209 of 2015

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Badri Prasad Singh Son of Late Siya Sharan Singh, Resident of Village - Murli,
P.S. - Bangaon, District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna.
2. The District Magistrate, Saharsa.
3. The Sub-Divisional Officer-cum-Licensing Authority, Saharsa, District - Saharsa.
4. The District Supply Officer, Saharsa.
5. The District Manager, Bihar State Food & Civil Supplies Corporation Ltd., Saharsa, District - Saharsa.
6. The Assistant Godown Manager, Bihar State Food & Civil Supplies Corporation Ltd., Saharsa.
7. The Block Supply Officer, Kahra, District - Saharsa.

.... Respondents

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate
For the Respondents : Mr. Maruth Nath Roy,
Mr. Arvind Ujjwal, SC 4
For the BSFC : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-11-2017

The present writ petition has been filed for a direction to the respondents to return the total amount of Rs. 2,62,537/- to the petitioner as the petitioner had deposited the said amount in Account No. 447020100000155 in Bank of India, Branch Bangaon, under District Saharsa on different dates between 13.03.2012 to 25.02.2013 being a PDS dealer of Gram Panchayat-Murli Basantpur for lifting food grains.

2. Learned counsel for the petitioner submits that despite



payment of Rs. 2,62,537/- being made and challan being presented before the respondent no. 6 neither the supply has been made to the petitioner nor the amount refunded to him despite lapse of more than four years. It is submitted that a representation dated 16.10.2014 has been filed before the District Manager of the respondent-Corporation, but the same has yet to be disposed of.

3. None appears on behalf of the respondent-Corporation when the matter is called. Learned counsel for the State is present.

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 District Manager, Bihar State Food & Civil Supplies Corporation Ltd., Saharsa, District Saharsa (Respondent No. 5) 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 6% per annum on the admitted dues calculated from the date when the amount was paid by the petitioner upto the date of refund. 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)

Chandran/BT

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