

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10840 of 2009

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Arun Kumar Verma, son of Sri Bhola Prasad, Resident of Gandhi Nagar Colony, P.S. Sadar, Gobarsahi Road, Muzaffarpur, Dist. Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The Bihar State Beverages Corporation Ltd., Bidyut Bhawan-II, 1st Floor, Jawahar Lal Nehry Marg, Patna.
2. The Managing Director, the Bihar State Beverages Corporation Ltd., Bidyut Bhawan-II, 1st Floor, Jawahar Lal Nehry Marg, Patna.
3. The Senior General Manager (H.R. & Administration), the Bihar State Beverages Corporation Ltd., Bidyut Bhawan-II, 1st Floor, Jawahar Lal Nehry Marg, Patna.
4. The Senior General Manager (Finance & Accounts), the Bihar State Beverages Corporation Ltd., Bidyut Bhawan-II, 1st Floor, Jawahar Lal Nehry Marg, Patna.
5. The Accounts Officer (Headquarter), the Bihar State Beverages Corporation Ltd., Bidyut Bhawan-II, 1st Floor, Jawahar Lal Nehry Marg, Patna.
6. The Depot Manager 9IMFL), the Bihar State Beverages Corporation Ltd., Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Narayan Rai, Adv. Mr. Sanjay Kumar, Adv.
For the Respondent/s	:	Mr. Girijesh Kumar, Adv. Mr. Vikash Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 23-02-2018

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner is challenging the order contained in Memo Nos. 2027 and 2025 dated 26.6.2009 passed by the Managing Director, Bihar State Beverage Corporation, whereby



and whereunder, the Corporation has recovered the amount of Rs. 12,825/- for the shortage in the go-down.

The petitioner was brought in deputation, was posted at Madhepura Go-down, as Accountant, on verification, it was found that the petitioner had given wrong report of the stock of the liquor. In pursuance thereof, the Managing Director issued show-cause vide letter no. 1495 dated 11.5.2009 and asked to file explanation, whereupon, the petitioner filed an application in which he has taken a plea that he should be allowed to examine the records, only then, he will be able to file proper reply of the shortage or excess of liquor in the Go-down and, thereafter, the petitioner has filed detailed explanation to satisfy the query of the Managing Director unsuccessfully. Ultimately, the Managing Director has passed the impugned order on 26.6.2009 but, a limited grievance has been raised by the petitioner that he was not given proper opportunity to examine the records so, he could not give proper explanation.

This Court is not interfering with the order for the present but, giving direction to the Management to allow the petitioner to examine the records, if so like, he may file his explanation, if any, and the same will be considered by the Managing Director, Bihar State Beverage Corporation and if the order goes in favour of the petitioner,



whatever amount has been deduced, will be refunded to the petitioner.

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

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.02.2018
Transmission Date	NA

