

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4668 of 2018

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Bijendra Kumar Singh, S/o Late Gopal Sharan Singh, resident of village Attrauli
P.S. Obra, District Aurangabad

.... Petitioner

Versus

1. The Food and Consumer Protection Department through the Principal Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad, District Aurangabad.
3. The Bihar State Food & Civil Supplies Corporation Limited through its M.D. Bihar at Patna.
4. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Aurangabad District Aurangabad.
5. The Enforcement Officer, Aurangabad
6. The Store-in-Charge, B.S.F.C. Goh, District Aurangabad
7. The In-Charge Purchasing Centre, Goh District Aurangabad

.... Respondents

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Appearance :

For the Petitioner : Mr. Brij Bihari Tiwary, Advocate

For the Respondents : Mr. S. Raza Ahmad- AAG5

Mr. Alok Ranjan, AC to AAG 5

For the BSFC : Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-03-2018

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

2. This matter has been taken up out of turn on the request
of learned counsel for the petitioner for payment of his outstanding
dues and the petitioner sought for the following reliefs :

“(i) In the nature of mandamus directing and commanding the respondent authorities to pay the petitioner the value of 438.80 quintal of paddy along with interest @ 18% compound interest in terms of clause 12 of agreement dated 06.02.2015 entered into between the petitioner and Dist Manager B.S.F.C. Aurangabad.



(ii) In the nature of mandamus directing and commanding the respondent authorities to pay the petitioner of Rs. 1,19,624/- alongwith 18% of compound interest outstanding for the year 2012-2013 on account of milling, transporting and handling charges.

(iii) For issuance of any other relief or reliefs for which the Petitioner is entitled for."

3. Learned counsel for the petitioner submits that pursuant to an agreement with the respondent-Corporation, the petitioner completed the work of milling, transporting and handling for which final bill for Rs. 1,19,624/- has not been paid.

4. Learned counsel for the respondents appear and have been heard.

5. Having regard to the nature of the grievances of the petitioner and with consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Bihar, Patna (Respondent No. 3) 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 became due till the date of its actual payment. 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.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

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CAV DATE	N.A.
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Transmission Date	N.A.

