

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4381 of 2018

=====

Ashutosh Tiwari, son of Vijendra Tiwari, resident of village Sonauli, P.S.
Masrakh, Dist. Saran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Govt. of Bihar, Patna.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation, Patna, Sone Bhawan, 2nd Floor, Dist. Patna.
3. The Chief Finance Officer, Bihar State Food & Civil Supplies Corporation, Patna, Sone Bhawan, 2nd Floor, Dist. Patna
4. The District Manager, Bihar State Food & Civil Supplies Corporation, Chapra, Dist. Saran at Chapra.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar,
Mr. Sanjay Kumar Tiwari, Advocates

For the Respondent/s : Mr. S.RAZA AHMAD -AAG5

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-03-2018

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

2. As prayed, let the defects as pointed out by the Stamp
Reporder be ignored.

3. This matter has been taken up out of turn on the request of
learned counsel for the petitioner for payment of its outstanding dues.

4. The present writ petition has been filed for a direction to
the respondent authorities to make payment of outstanding dues,
amounting to Rs. 10,20,775.00 (Rs. 3,09,639/- for procurement year
2013-14 + Rs. 7,11,136/- for procurement year 2014-15) along with



admissible interest thereon.

5. Learned counsel for the petitioner submits that despite having completed the contract milling work for the year 2013-14 and 2014-15 and raised bills for the same including milling and handling of paddy and transportation of C.M.R. to the godown, for a total amount of Rs. 10,20,775/- the same remains outstanding which is also not in dispute in view of the letters dated 30.12.2015 issued by the District Manager, BSFC, Chapra (Annexures 1 and 2).

6. Learned counsel for the Corporation appears and has been heard.

7. Having regard to the nature of the grievances of the petitioner, this writ petition is disposed of, granting liberty to the petitioner to approach the Managing Director, Bihar State Food and Civil Supply Corporation, Sone Bhawan, 2nd Floor, Patna (Respondent No. 2) 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.

8. 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

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.03.2018
Transmission Date	NA

