

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19045 of 2017

=====

Surendra Bhagat, Son of Late Dev Narayan Bhagat, R/o Banma Itahari,
Panchayat- Sahuriya, P.S.- Simri Bakhtiyarpur, District- Saharsa.

.... Petitioner

Versus

1. The Bihar State Food and Civil Supplies Corporation Limited Through Its Managing Director, Khadya Bhawan, Daroga Prasad Rai Path, R-Block, Road No.2, Patna.
2. The Managing Director, the Bihar State Food And Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Rai Path, R-Block, Road No.2, Patna.
3. The Chief of Finance, Head Quarter, Khadya Bhawan, Daroga Prasad Rai Path, R-Block, Road No.2, Patna.
4. The District Manager, Bihar State Food And Civil Supplies Corporation Limited, Saharsa.
5. The Assistant Manager, Bihar State Food And Civil Supplies Corporation Limited, Simri Bakhtiyarpur, Saharsa.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Pankaj Kumar Jha, Advocate.
For the Respondents : Mr. Nirmal Kumar, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-01-2018

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

2. The present writ petition has been taken up out of turn
on the request of learned counsel for the petitioner for disposal of the
same with a direction to the respondents to pay the admitted dues of
the petitioner.

3. The present writ petition has been filed for the
following reliefs:

*“(i) For issuance of an appropriate writ/s, order/s,
direction/s, for a direction to the respondent for making
payment of an amount of Rs. 77,129/- which is outstanding*



with the respondents for non lifting of rice under BPL Scheme for the month December 2013.

(ii) For issuance of an appropriate writ/s, order/s, direction/s to ensure payment of interest at the rate of 12% per month over and above the outstanding dues with the respondents which is lying with them since December 2013.

(iii) To pass such other order/s as your lordships may deem fit and proper in the facts and circumstances of the case.”

4. Learned counsel for the petitioner relies on letter no. 2191 dated 08.12.2016 (Annexure-4) written by the District Manager, BSFC, Saharsa to the Chief Finance Officer, Headquarters, Patna according to which allotment of fund has been requested to enable payment of Rs. 77,129/- to the petitioner.

5. Learned counsel for the respondents appears and has been heard.

6. Having regard to the nature of the grievances of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the Managing Director, Bihar State Food and Civil Supplies Corporation Limited, Patna (Respondent No. 2) with a fresh representation for redressal of its 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.

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

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.01.2018
Transmission Date	N.A.

