

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1984 of 2019

Pradeep Kumar, aged about 31 years (Male) S/o Sadanand Yadav, Resident of
Village- Ward No. 1, Jamhara, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner

Versus

1. The State Food and Civil Supplier at Patna through its Chairman, Patna.
2. The Deputy General Manager Transport, Bihar State Food and Civil Supplier at Patna.
3. The Managing Director, State Food Corporation at Patna.
4. The Collector of District Khagaria at Khagaria.
5. The District Supply Officer, Khagaria at Khagaria.
6. The Sub Divisional Officer, Gogari at Gogari.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Gupta, Advocate
For the BSFC	:	Mr. Shailendra Kr. Singh, Advocate
For the State	:	Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-03-2019 Learned counsel for the petitioner submits that on the one hand the District Magistrate, Khagaria has not complied with the order dated 23.08.2018 passed in CWJC No. 10348/2018 as contained in Annexure-7 by considering the case of the petitioner after giving him an opportunity of hearing, at the same time, fresh appointment has been made vide Memo No. 1330 dated 07.12.2018, as contained in Annexure-1 to the writ application.

Learned counsel for the Bihar State Food & Civil Supplies Corporation (in short the 'Corporation') submits



that the petitioner has remedy against the impugned order as contained in Annexure-1 by submitting his objection and representation before the District Transport Committee in terms of the Transport Policy, 2018 framed by the 'Corporation'.

Learned counsel for the 'Corporation' has further drawn the attention of this court towards Annexure-8 to the writ application which is the order-sheet of the court of the Collector-cum-District Magistrate, Khagaria from which it appears that pursuant to the order passed by this court in CWJC No. 10348/2018, the matter of the petitioner is under consideration before the Collector-cum-District Magistrate, Khagaria.

In the aforesaid view of the matter, since the petitioner has remedy available by filing his representation/objection before the District Transport Committee which is a body envisaged to take all such issues relating to appointment of Transport Agency, this court would give liberty to the petitioner to file his objection/representation before the District Transport Committee within 30 days who will consider his objection



with regard to the office order as contained in Annexure-1
and shall take an appropriate decision after hearing all the
parties in accordance with law within a period of 90 days
from the date of receipt/production of a copy of this order.

This Writ Application stands disposed of
accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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