

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9819 of 2019

Narendra Mishra Son of Late Ram Bihari Mishra Resident of Village-Gunsari, P.S.- Sirkaul Lakh, District- Buxar, at Present Resident of Dumraon Safkhana Road, Ward No. 14, P.S. Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation Ltd., Sone Bhavan, 5th Floor, Birchand Patel Path, Patna through the Managing Director.
2. The Managing Director, The Bihar State Food and Civil Supplies Corporation, Sone Bhavan, 5th Floor, Birchand Patel Path, Patna.
3. The Chief Administrator, The Bihar State Food and Civil Supplies Corporation Ltd., Sone Bhavan, 5th Floor, Birchand Patel Path, Patna.
4. The District Manager, The Bihar State Food and Civil Supplies Corporation Ltd., Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arup Kumar Chongdar, Advocate

For the Respondent/s : Mr.Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner.

2. Petitioner claims payment of gratuity, earned leave, group insurance including salary for the period 01.08.2006 to 24.01.2007, arrears of salary from 01.07.1997 to July 2006, suspension allowance from 01.02.2007 to 15.10.2017 after deduction of Rs. 1,51,775=68 which is recoverable from the petitioner as evident from Annexure-3 to this application.

3. Learned counsel for the petitioner submits that an order of dismissal has been passed against the petitioner in pursuance to a departmental proceeding regarding certain amount of discrepancy in the stocks of wheat and rice while being posted as Assistant Godown Manager at Gulabbagh



godown of the Bihar State Food and Civil Supplies Corporation(hereinafter referred to as the Corporation). Against the adjustment of Rs. 7,50,000/- on the entire dues alleged to be embezzled by the petitioner of Rs. 9,01,775=68, only a sum of Rs. 1,51,775=68 was sought to be recovered while passing order of dismissal against the petitioner, which is Annexure- 2 series dated 16.10.2007. He submits that the remaining admissible amount has not yet been paid by the respondent-Corporation.

4. Considering the nature of claim made by the petitioner, petitioner is directed to file a detailed representation before the Chief Administrator of the Corporation, Respondent No. 3 which will be disposed of within a period of three months from the date of filing of such representation. Any amount due to the petitioner along with admissible interest would be paid within one month thereafter. If certain amounts are inadmissible, the same shall be communicated to the petitioner by passing a speaking order sent through registered post.

5. Writ application stands disposed of.

(Nilu Agrawal, J)

Rajesh/-

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