

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14091 of 2019

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Nirmal Kumar Roy Son of late Gajbadan Roy, Resident of Village and P.O. Bagar, P.S. Sikrahata, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation Ltd. Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
3. The Chief General Manager, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
4. The Chief of Administration, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
5. The Deputy General Manager, Administration, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
6. The Chief of Finance, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, Patna, District- Patna.
7. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Darbhanga, P.O. & P.S. - Darbhanga, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. R.S. Pradhan, Sr. Advocate
		Mr. Jainandra Kumar, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 16-07-2019

Heard the learned counsel for the parties.

2. The petitioner has approached this Court with a specific prayer to direct the respondent corporation to post the petitioner in substantive capacity and resume his salary, which is not being paid to him since November, 2018.



3. Learned counsel for the petitioner has submitted that the petitioner has been transferred from Vaishali to Darbhanga on 15.11.2018 but without any posting. It has been submitted that the aforesaid impasse continues and the petitioner has not been posted in any substantive capacity. Because of this, even the salary of the petitioner is not being paid to him. Several representations were made by the petitioner before the Managing Director but no positive result came out of such representation. The petitioner is not at all aware of any case or departmental proceeding pending against him. Even if there is any, the same ought to be intimated to the petitioner.

4. Under the aforesaid circumstances, the petitioner is directed to make a fresh representation before the Managing Director, Bihar State Food & Civil Supplies Corporation Ltd. Khadya Bhawan, Daroga Rai Path, Patna (respondent no. 2) within a period of three weeks from today, who, on receipt of such representation, shall dispose



it of by a reasoned order within a further period of four weeks thereafter.

5. If there is no departmental proceeding or criminal case pending against him, there is no reason why he should not be posted in substantive capacity and his salary be not resumed as he is to superannuate only on October 31, 2019.

6. With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2019
Transmission Date	

