

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25316 of 2019

Chairman Diyawan Panchayat PACS Karai Parsurai, through Kailash Singh aged about 55 years (M), Son of Late Mundrika Singh, Resident of Village-Ward no. 1, Chaurasi, P.S.-Karai Parsurai, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supplies Department Ltd., Government of Bihar, Patna.
2. The District Magistrate cum Collector, Nalanda, Biharsharif.
3. The District Manager, State Food and Civil Supplies Corporation Ltd., Nalanda, Biharsharif.
4. The Central Co-operative Bank Ltd., Nalanda at Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Choudhary, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad (AAG5)
		Mr. Md. Kamil Akhtar, AC to AAG 5
For the Bank	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-12-2019

The petitioner who is the Chairman of Diyawan PACS has approached this Court for a direction to the Bihar State Food and Civil Supplies Corporation to make payment of the dues amount towards the CMR which was supplied and which has swollen up to the tune of Rs. 6,91,2613/- for the procurement year 2016-17 along with interest as the PACS is facing financial difficulties and is being pestered by the banks for making payments.



Without getting into the actual entitlement of the PACS to receive payment from the B.S.F.C., Mr. Shailendra Kumar Singh, learned advocate for the B.S.F.C. has suggested that in case the petitioner makes a representation before the respondent no. 2 viz. the District Magistrate cum Collector, Nalanda, Bihar Sharif with supporting document in support of the entitlement and the claim within a period of three weeks, the same shall be verified and necessary order shall be passed for making good the payment against such dues to which the petitioner is entitled. The question of payment of interest on the delayed payment shall also be considered by the aforesaid respondent.

The aforesaid proposal on behalf of Bihar State Food and Civil Supplies Corporation is absolutely fair.

If the petitioner makes a fresh representation, charting out the details of the dues along with the supporting documents before respondent no. 2 within a period of three weeks, the same shall be considered and a



reasoned order shall be passed within a further period of four weeks thereafter. Needless to state that if the claim of the petitioner is found to be correct, necessary arrangement shall be made for payment of the aforesaid amount so that the PACS of which the petitioner is the Chairman does not suffer from any financial crunch in future.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2019
Transmission Date	

