

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8129 of 2019

=====

Ram Bilas Prasad, son of Dwarika Mahto, Adhyaksh, Katharahi Panchayat
PACS R/O- Village- Katharahi, Anchal- Bind, P.S.- Bind, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, State Food and Civil Supply, Government of Bihar, Patna, P.S.- Sachiwalaya, District- Patna.
2. The District Magistrate, Nalanda.
3. Managing Director Bihar State Food and Civil Supply Corporation Ltd. Patna.
4. The District Manager Bihar State Food and Civil Supply Corporation, Nalanda at Biharsharif.
5. The District Co- operative Officer Nalanda at Biharsharif.
6. Nalanda Central Cooperative Bank Through its Managing Director, Nalanda.
7. Block Agriculture Officer- cum- CMR, incharge Ashawan Nalanda.
8. M/S Prakriti Rice Mill Biharsharif Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad, Advocate
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr.Arvind Ujjwal (SC-4)

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-01-2020 The petitioner, who is the Chairman of Katarahi Panchayat 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. 18,99,643.35/- for the procurement year 2016-17 along with interest.



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, Nalanda at 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 off.

(Ashutosh Kumar, J)

Shageer/-

U			
---	--	--	--

