

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8924 of 2017

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Ashok Kumar Nidhi S/o- Late Lakshman Nidhi, Resident of Village and P.O.-
Rohar, P.S.- Biraul, District- Darbhanga.

... .. 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, Darga Rai Path, Patna, District Patna
3. The Chief of Administration, Bihar State Food and Civil Supplies
Corporation Ltd. Khadya Bhawan, Darga Rai Path, Patna, District Patna
4. The Chief of Claims, Bihar State Food and Civil Supplies Corporation Ltd.
Khadya Bhawan, Darga Rai Path, Patna, District Patna
5. The Chief of Finance, Bihar State Food and Civil Supplies Corporation Ltd.
Khadya Bhawan, Darga Rai Path, Patna, District Patna
6. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
Bhagalpur, P.O. and P.S. Bhagalpur, District Bhagalpur
7. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
Supaul, P.O. and P.S.- Supaul, District Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Respondent/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 18-09-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard both parties.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application :

1(I) For issuance of appropriate



writ/writs, order/orders, direction/directions directing the respondent authorities of the Bihar State Food & Civil Supplies Corporation Ltd. (hereinafter called as “Corporation”) to make payment of pre and post retiral dues of the petitioner including admissible leave encashment with appropriate interest on the delayed payment, gratuity amount of Rs.10,00,000/- (Ten Lacs) as per provision of the Gratuity Act and adopted by the Corporation and payments made to several other employees and in view of the order passed by this Hon’ble Court in C.W.J.C. No.15074 of 2012 disposed of on 08.12.2015.

(II) For issuance of appropriate writ/writs, order/orders, direction/directions to make payment of the calculated amount of Rs.2,23,169/- which was directed recoverable at the rate of 10% from the petitioner in a proceeding initiated against Sri Arun Kumar Sinha and the order to that effect dated 19.09.2011 issued under letter No.7458 be also quashed alongwith Office order dated 11.07.2011 passed by the Managing Director of the Corporation in view of various circulars of the Corporation as well as orders passed in different cases by this Hon’ble Court including C.W.J.C. No.9683 of 2008 which was affirmed in L.P.A. No.1477 of 2013 wherein such similar order was quashed and direction for payment was given by this Hon’ble Court.

(III) For issuance of appropriate



writ/writs, order/orders, direction/directions to make payment of wrongly calculated interest on loss of grains after 18 years of the petitioner's posting at Giridih, Saran and Saharsa from 1982 to 2001 when the petitioner was working as Assistant Godown Manager and when the said amount of loss of food grains calculated at Rs.2,57,370.73/- was already adjusted from the petitioner's payable amount much earlier.

(IV) For issuance of further appropriate writ/writs, order/orders, direction/directions to make payment of the amount of interest calculated at Rs.4,30,732/- on the aforesaid claimed loss amount, the information of which has been obtained by the petitioner under Right to Information Act which has been indicated in the said calculation to have been recoverable from the petitioner's payable amount.

(V) For issuance of appropriate writ/writs, order/orders, direction/ directions to direct payment of bill of advance amount claimed by the petitioner for Rs.1,46,627/- and passed by the District Manager of the Corporation, Patna wherein the respondents have shown only Rs.62,730.67/- + Rs.5800/- as being advance and the balance amount of Rs.78,000/- is still due which has also been entered in LPC of the petitioner and full salary from 09.02.2015 to 09.06.2015.

(VI) For issuance of further appropriate writ/writs, order/orders, direction/directions to make payment of all the pre and post retiral dues with



interest on all delayed payments including security of Rs.5,000/- deposited at the time of appointment and differential amount of pay of 6th pay Revision Commission from April, 2007 to September, 2011.

Considering the reliefs sought for on behalf of the petitioner in the present writ application, the petitioner is directed to file a representation before the Respondent No.2 for redressal of his grievance. If any such representation is filed by the petitioner before the Respondent No.2, the same shall be disposed of in accordance with law within a period of three months from the date of filing of such representation.

It is further pointed out that after passing of the final order, the admitted dues of the petitioner, if any, be paid within a period of two months from the date of disposal of representation.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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