

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23216 of 2019

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Jitu Ram, son of Late Anandi Ram, resident of Village-Nayagaon, P.S.
Sheyampur Bhatahan, District-Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Supply, Govt. of Bihar, Patna.
2. The District Magistrate, Sheohar.
3. The Sub Divisional Officer, Sheohar.
4. The District Supply Officer, Sheohar.
5. The Managing Director, Bihar State Food and Civil Supply Corporation Ltd. Bihar, Patna.
6. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Sheohar.
7. The Godown Manager, Bihar State Food and Civil Supply Corporation Ltd. Sitamarhi.
8. The Assistant Godown Manager, Food and Civil Supply Corporation Ltd. Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Anisur Rahman, Advocate
For the BSFC	:	Mr. Siddharth Harsh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-02-2020 The petitioner has approached this Court against the order dated 11.05.2019 issued under the signature of District Manager, Bihar State Food & Civil Supplies Corporation, Sheohar whereby it has been intimated that in the absence of the original copy of the SIO and definite evidence with respect to his not having been supplied with the foodgrains under the *Antyoday*



and B.P.L. scheme for which he had deposited an amount of Rs. 28,658/- is not being returned to him.

It appears that for refund of the aforesaid amount, the petitioner had earlier approached this Court vide C.W.J.C. No. 15797 of 2014 but this Court, on finding that the petitioner had directly approached this Court without agitating his claim before the authority concerned, directed him by order dated 24.07.2018 to approach the concerned District Manager, Bihar State Food & Civil Supplies Corporation.

The order impugned is pursuant to the application made by the petitioner before the concerned authority in that regard.

The petitioner is in possession of a photocopy of the SIO and claims that the original copy of the SIO is still with the Bihar State Food & Civil Supplies Corporation.

This statement is being doubted by the learned counsel appearing for the Bihar State Food & Civil



Supplies Corporation.

However, considering the slender claim and the status of the petitioner, this Court directs that if the petitioner files a requisite application before the District Manager, Bihar State Food & Civil Supplies Corporation, Sheohar (respondent No. 6) within a period of two weeks, annexing copies of all the materials in his possession with regard to his claim viz. photocopy of the SIO and any other evidence in support of the fact that the foodgrains were not handed over to him despite his having deposited the amount which he claims, necessary enquiry shall be made and if the claim of the petitioner is found to be correct, an order shall be passed making available such amount to the petitioner.

Needless to state that before such an order is passed, the claim of the petitioner shall be verified.

Under the circumstances, it may not be appropriate for the concerned respondent to insist for production of the original copy of the SIO. The



verification of the claim could be made by the secondary sources for which there would be necessary documents available with the Bihar State Food & Civil Supplies Corporation.

The writ petition stands disposed off with the aforesaid observation/direction.

(Ashutosh Kumar, J)

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