

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3558 of 2020

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Rajendra Dubey Son of Late Paltan Dubey Resident of Sakra Bazid, Police
Station-Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supply Corporation Khadya Bhawan,
Daroga Rai Path, R Block, Road No.2, Patna through its Managing Director.
2. The Managing Director, The Bihar State Food and Civil Supply Corporation,
Khadya Bhawan, Daroga Rai Path, R. Block, Road, no.2, Patna.
3. The General Manager, Transportation, The Bihar State Food and Civil
Supply Corporation, Khadya Bhawan, Daroga Rai Path, R. Block, Road
No.2, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation, Ltd.,
Muzaffarpur.
5. The State of Bihar through the Principal Secretary Food and Civil Supplies
Department, Government of Bihar, Patna.
6. The District Magistrate, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-07-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That the present writ application is being filed for a direction upon the Bihar State Food and Civil Supply Corporation (Hereinafter to be referred as corporation), to pay the petitioner the amount of security money to the tune of Rs. 7 Lakh, deposited by him in pursuance of an agreement executed with the corporation for doing the work of Transporter-Cum-Handling Agent in the district of Muzaffarpur from the year 2014 to 2017.

The aforesaid amount of security deposit is not being released in favour of the petitioner notwithstanding the fact that a recommendation in this regard has been sent thrice by the District Manager, Corporation, Muzaffarpur.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **(Respondent No. 3, The General Manager, Transportation, The Bihar State Food and Civil Supply Corporation, Khadya Bhawan, Daroga Rai Path, R. Block, Road No.2, Patna)** or any of the statutory authority to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if

such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(h) We have not expressed any opinion on merits. All issues are left open;

(i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	