

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6184 of 2022

=====

Md. Aurangzeb Hayat S/o Md. Kalam R/o Mohalla-Supaul Bazar, P.O. and
P.S.-Biraul, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Darbhanga.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation
Limited, Khadya Bhawan, Daroga Rai Path, Patna-1.
3. The deputy Genral Manager (administration), Bihar state Food and Civil
Supplies Corporation Limited, Khadya Bhawan, Daroga Rai Path, Patna-1
4. The Deputy General Manager, Targeted PDS, Bihar State Food and Civil
Supplies Corporation Limited, Khadya Bhawan, Daroga Rai Path, Patna-1
5. The General Manager (audit and Finance), Bihar State Food and Civil
Supplies Corporation Limited, Khadya Bhawan, Daroga Rai Path, Patna-1
6. The District Manager, Bihar State Food and Civil Supplies Corporation
Limited, District-Darbhangha.
7. The Assistant Go-down Manager, BSFC Benipur, Darbhanga.
8. The Block Supply Officer, Benipur, Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Alok Ranjan, Adv
For the State	:	Mr.Arvind Ujjwal (SC4)
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv

=====

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

Date : 20-06-2022

Heard learned counsel for the parties.

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

(I) For Quashing office order as contained in memo no. 367 dated 09.03.2022 issued under the signature of District Manager, Bihar State Food and civil Supplies Corporation limited, Darbhanga, whereby and where under work allotted to the petitioner has been deferred/Suspended, by a cryptic order, in a most arbitrary and illegal manner, without following any procedure, with a predetermined mind, without asking any show-cause, without giving any opportunity to defend himself, without the considering their own stand before Hon'ble High court in CWJC no. 12738 of 2019, without applying his

II). For quashing the order as contained in memo no. 407 dated 12.03.2022 whereby and where under the work allotted to the petitioner has been allotted to some other transporter.

III). For holding and declaring that the orders passed by the respondent authority is cryptic, discriminatory, biased, arbitrary, illegal, colorable exercise of power and in contravention with rules and in teeth of principals of natural justice.

IV). For directing and commanding the respondent authority to allow the petitioner to perform his work of Transportation pursuant to the work order issued in his favor vide memo no. 289 dated 23.02.2022 and to pay all the consequential benefits attached to the same.

(V) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.

Mr. Shailendra Singh, learned counsel for BSFC, states that if only the petitioner were to prefer an appeal before the Appellate Authority in terms of order dated 09.03.2022 (Annexure-3 Page-25), the appropriate authority shall positively take a decision within one week thereafter.

He states that within next two working days petitioner

shall prefer an appeal, in fact he shall make himself available in the Office of respondent no. 2 namely, the Appellate Authority, Managing Director, BSFC, Khadya Bhawan, Daroga Rai Path, Patna-1, on **23.06.2022 at 2:00 pm** and present the appeal in person which shall be considered within one week.

Liberty reserved to the petitioner to further agitate the issue should the need so arise.

The writ petition is, accordingly, disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/sanjay-

AFR/NAFR	
CAV DATE	NA
Uploading Date	22.06.2022
Transmission Date	NA