

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7793 of 2022

Upendar Ray son of- Ram Charitra Ray, Resident of- Jafrabad, Post Office
and Police Station- Khanjahan Chak urf Saidenpur, District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Patna, Bihar
2. The Managing Director, Bihar State Food and Civil Supply Corporation, Patna, Bihar.
3. District Magistrate, District- Vaishali.
4. District Collector, District- Vaishali.
5. Deputy General Manager, Transportation, Corporation Head Officer, Bihar State Civil Supplies Corporation, Bihar, Patna.
6. The Divisional Manager, Food Corporation of India, Hazipur, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Mohan Mishra, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad (AAG 5)
For B.S.F.C.		Mr. Shailendra Kumar Singh, Advocate
		Mr. Utkarsh Utpal, Advocate

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

Date : 28-07-2022

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

- i. To issue appropriate writ specially writ of mandamus directing the respondent to pay the cost of transportation from September 2020 to October 2021 to the petitioner as the petitioner had transported the goods as per the agreement made by the petitioner and the respondent corporation on 21.09.2020.
- ii. To hold and declare that the petitioner is entitled to get the difference amount of cost of transportation for the aforesaid period of Rs.30,75,385/- up to October 2021 and further cost of transportation from November 2021 to 12.03.2022 as the petitioner has transported the goods on behalf of respondent but payment of cost of transportation has not been made as per the term of agreement.
- iii. To issue any other writ/writs, order/orders, direction/ directions as your honour deem fit and proper.



After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

AFR/NAFR	
CAV DATE	
Uploading Date	01.08.2022
Transmission Date	

