

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.366 of 2021

Ashok Kumar Nidhi (male), aged about-63 years, Son of Lakshman Nidhi Resident of A-3 Anand Villa Apartment, in front of Central Revenue Basti, Ashiana Road, P.S.- Rajiv Nagar, District- Patna, the then Incharge District Manager, State Food Corporation, Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Consumer and Food Protection Department, Government of Bihar, Patna.
3. The District Magistrate Madhepura, District- Madhepura.
4. The Bihar State Food and Civil Supplies Corporation Ltd. Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna through the Managing Director.
5. The Managing Director the Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna
6. The General Manager General Administration (Headquarter),- cum-Conducting Officer, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna
7. The Deputy General Manager (Headquarter) Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2, Patna
8. The District Manager State Food Corporation, Banka, District- Banka.

... .. Respondents

Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Adv.
For the BSFC : Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and learned counsel for the respondent- BSFC.

2. The petitioner has assailed the charge memo dated 14-11-2019 on *Prapatra* - 'Ka'.

3. The submission is that the charges are stale and relate to certain incidents of the year 2013-2014.



4. Learned counsel for the respondents submits that the petitioner's submissions are incorrect.

5. Be that as it may, if the charges are stale, it would be open to the petitioner to raise the objection while submitting his written statement of defence, if already not submitted.

6. The Enquiring Authority would be required to consider the issue, if raised by the petitioner.

7. The application is disposed of with the aforesaid liberty.

(Madhuresh Prasad, J)

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