

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.873 of 2018
In
Civil Writ Jurisdiction Case No.1805 of 2016

1. The Managing Director, State Food Corporation Bihar.
2. The Chief Of Finance, State Food Corporation Bihar, Patna.
3. The Chief of Procurement, State Food Corporation Bihar, Patna.
4. The Chief of Claim, State Food Corporation Bihar, Patna.
5. The Desk Officer, State Food Corporation Bihar, Patna.
6. The District Manager, State Food Corporation, Rohtas at Sasaram.

... .. Appellant/s

Versus

1. Vijay Bahadur Singh Son of Late Basudeo Singh, Resident of Village and P.O. Majhariya Industries Area, P.S. Industrial Thana, District Buxar.
2. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 21266 of 2019

Vijay Bahadur Singh, Son of Late Basudeo Singh, Resident of Village and P.O.- Majhariya Industrial Area, Police Station, P.S.- Industrial Thana, District- Buxar.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Food and Civil Supplies Corporation, Bihar, Patna.
2. The Chief of Finance, Bihar State Food and Civil Supplies Corporation, Bihar, Patna.
3. The Chief Procurement, Bihar State Food and Civil Supplies Corporation, Bihar, Patna.
4. The Chief of Claim, Bihar State Food and Civil Supplies Corporation, Bihar, Patna.
5. The Desk officer, Bihar State Food and Civil Supplies Corporation, Head Quarter, Patna.
6. The District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas at Sasaram,

... .. Respondent/s

Appearance :
(In Letters Patent Appeal No. 873 of 2018)



For the Appellant/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : Mr. Surendra Mishra, Advocate
(In Civil Writ Jurisdiction Case No. 21266 of 2019)
For the Petitioner/s : Mr. Surendra Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 19-07-2022

Heard learned counsels for respective parties.

The appellants have questioned the validity of the order dated 03.11.2007 passed by the learned Single Judge in CWJC No. 1805 of 2016. The appellants have not apprised this Court as to why the respondent-Vijay Bahadur Singh is not entitled to retiral benefits. It is submitted that he retired on 31.08.2009 whereas departmental inquiry was launched against him on 27.08.2009 and it has attained finality on 25.06.2012. The appellants have not furnished details of the penalty order and its effect on the retiral benefits of Vijay Bahadur Singh. In fact, the appellants were required to pass detail order after imposition of punishment in a departmental inquiry to what extent Vijay Bahadur Singh is not entitled to retiral benefits like whether is he entitled to any amount or not? Further, is he entitled to pension if the pension scheme is applicable in favour of Vijay Bahadur Singh or not? Such materials have not been placed on record so as to apprise the reasons for withholding of retiral benefits of respondent-Vijay



Bahadur Singh. In other words, the appeal papers are incomplete both the factual material information as well as documents.

Accordingly, the appeal stands dismissed reserving liberty to the appellants to file afresh Letters Patent Appeal with all material information including factual aspect of the matter from time to time. CWJC No. 21266 of 2019 is de-linked from the Letters Patent Appeal No. 873 of 2018.

Registry is hereby directed to relist CWJC No. 21266 of 2019 before the roster Bench.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
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