

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3967 of 2021**

Umesh Das son of Sakhichand Das resident of Mohalla - Bhikham Chowk,  
P.S. Bachhwara, District- Begusarai, the then Incharge District Manager, State  
Food Corporation, Madhepura.

... .. 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 Deputy Manager (Administration), Bihar State Food and Civil Supplies  
Corporation Ltd., Khadya Bhawan, Daroga Rai Path, R. Block, Road No. 2,  
Patna.
7. The Deputy Manager (Purchase and Legal) - cum- Conducting Officer,  
Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan,  
Daroga Rai Path, R. Block, Road No. 2, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr.Ajit Kumar Singh              |
| For the State        | : | Mr.Md. Kamil Akhtar, AC to AAG-5 |
| For BSFC             | : | Ms. Anukriti Jaipuriyar          |

**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**ORAL JUDGMENT**

**Date : 03-03-2022**

Heard the learned counsels for the parties.

Petitioner's counsel to serve copy of the petition to  
the learned counsel appearing on behalf of Corporation.

Service of notice to Respondent Nos. 1 to 3 stands  
dispensed. Ms. Anukriti Jaipuriyar, learned counsel appearing



on behalf of Corporation accept notice for Respondent Nos. 4 to 7.

In the instant petition, petitioner has prayed for following reliefs:

“(I) For issuance of an appropriate writ in the nature of **CERTIORARI** for quashing the order passed by the Managing Director of Bihar State Food and Civil Supplied Corporation Ltd. (Respondent no. 5) and contained in memo no. 1263 dated 03.12.2019, whereby and where under the Managing Director of Respondent Corporation has been pleased to terminate the services of the petitioner with immediate effect and also ordered that the petitioner is not entitled for any retirement benefit and amount of loss/defalcation has been recovered from the petitioner by the Deputy Manager (Claim) of the Respondent Corporation.

(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Corporation to pay the amount of retirement benefit and other consequential benefits.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

Petitioner's services have been displaced after holding a due enquiry. Feeling aggrieved by the termination/dismissal, petitioner has already invoked remedy of appeal before the appellate authority on 30<sup>th</sup> December, 2019 and it is pending consideration (Annexure-P/18).



In these facts and circumstances, the appellate authority-Corporation is hereby directed to decide the petitioner’s appeal in accordance with the relevant regulations relating to appeal consideration and decide the petitioner’s appeal within a period of three months from the date of receipt of this order. Copy of the decision be communicated to the petitioner at the earliest.

With the above observations, the instant petition stands disposed of.

**(P. B. Bajanthri, J)**

rakhi/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          |            |
| CAV DATE          |            |
| Uploading Date    | 09.03.2022 |
| Transmission Date |            |

