

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2905 of 2023

Sanjay Kumar Son of Mahendra Prasad, Resident of Bhama Sah Path,
Chauta, Bhola Sah Talkies, P.S. - Madhubani, District - Madhubani.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation through the Managing Director, Bihar, Patna.
2. The Managing Director, the Bihar State Food and Civil Supplies Corporation Ltd. Bihar, Patna.
3. The Chief General Manager, Public Distribution Bihar State Food and Civil Supplies Corporation Ltd. Patna.
4. The Deputy General Manager-Transport, Bihar State Food and Civil Supplies Corporation Ltd., Patna.
5. The Deputy General Manager-Audit, Bihar State Food and Civil Supplies Corporation Ltd., Patna.
6. The Deputy General Manager-Administration Bihar State Food and Civil Supplies Corporation Ltd., Patna.
7. The District Manager, State Food Corporation, Darbhanga.
8. The Audit Officer, Bihar State Food and Civil Supplies Corporation Ltd., Patna.
9. The Assistant Accounts Officer, Bihar State Food and Civil Supplies Corporation Ltd., Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Subodh Kumar Jha, Adv.
For the BSFC	:	Mr. Shailendra Kumar Singh with Ms. Usha Kumari, Advocates

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 31-07-2023

Heard leaned counsel for the petitioner and learned
counsel for the respondent- Bihar State Food and Civil Supplies
Corporation (for brevity 'BSFC').

2. The petitioner is aggrieved by the communication
dated 31-12-2022, as contained in Annexure- 7/1 to the writ



petition. He is an erstwhile 'Assistant Manager' in the respondent- BSFC and was saddled with certain liabilities, arising out of non-supply of proper bills, in respect of transportation and handling, which was quantified at Rs. 70,49,366/-. Thereafter, he has approached this Court, and was relegated to the Authorities, who after considering the petitioner's claim, with reference to documents, has adjusted substantial amount of the earlier alleged outstanding, which now has been reduced to Rs. 488,492.00/-. The determination is by the District Manager of the State Food Corporation at Darbhanga (Respondent No.7).

3. Learned counsel for the petitioner submits that many documents have been overlooked, and the Respondent No.7 has also overlooked the fact that petitioner is not liable for Departmental deduction (10%), Handling (EPF + ESIC @ 30%) as shown in the table of calculation with office order dated 20-12-2022 (Annexure-7). Since these aspects have not been taken into consideration, amounts due outstanding has wrongly been shown in the order dated 31-12-2022 (Annexure- 7/1).

4. Apparently, the issue of dues outstanding requires consideration with reference to the documents and other submissions noted above, which petitioner can raise before the Managing Director, the Bihar State Food and Civil



Supplies Corporation Ltd. Bihar, Patna (Respondent No. 2).

5. The petitioner may approach the Respondent No.2 by submitting the documents and his representation, placing reliance on the relevant Rule of deemed approval, within a period of four (4) weeks’. If the same is submitted along with copy of this order, the Respondent No. 2 shall look into the matter and pass orders in accordance with law, after due opportunity to the petitioner within three (3) months thereafter.

6. The Court makes it clear that it has not expressed any opinion on merits of the matter.

7. Writ petition is, accordingly, disposed of.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04-08-2023
Transmission Date	

