

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3371 of 2023

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Shailendra Kumar Singh Son of Ramadhar Singh, resident of 41/J Canny Hill Road, Hazaribagh, District-Hazaribagh (Jharkhand), at present residing at Ravindra Niwas, Punaichak, P.S.-Shastrinagar, District and Town-Patna.

... .. 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. Bihar, Patna.
4. The Deputy General Manager-Transport, Bihar State Food and Civil Supplies Corporation Ltd. Bihar, Patna.
5. The Deputy General Manager-Audit, Bihar State Food and Civil Supplies Corporation Ltd. Bihar, Patna.
6. The Deputy General Manager-Administration Bihar State Food and Civil Supplies Corporation Ltd. Bihar, 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

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar Singh, Advocate
		Ms. Usha Kumari, Advocate
		Mr. Utkarsha Utpal, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner and learned counsel for the State.
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 Darbhanga in



the 'Godown' of the respondent-Corporation 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. 56,16,263.00/-. 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. 12,16,040.00/-. The determination is by the District Manager of the Corporation at Darbhanga.

3. Learned counsel for the petitioner submits that many documents have been overlooked, and the District Manager has also overlooked the fact that petitioner is not liable for Departmental deduction 10 % and Handling (EPF + ESIC @ 30%) as shown in the Table of Calculation with office order dated 20.12.2022. Since these aspects have not been taken into consideration, amounts due outstanding has wrongly been shown in the order dated 31-12-2022.

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 Managing Director by submitting the documents and his representation,



placing reliance on the relevant Rule of deemed approval, within 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)

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