

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3176 of 2023

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Jay Prakash Sah, Son of Damodar Sah, Resident of Bhathiyari Saray, P.O. Lalgah, P.S.- L.N.M.U., District- Darbhanga.

... .. 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

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar Jha, Advocate
For the Respondent/s : Mr.Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and learned counsel for the respondent-Bihar State Food and Civil Supplies Corporation Ltd. (hereinafter referred as “Corporation”).

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. 30,54,671.00/-. 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. 4,74,362.00/-. 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 there is deemed sanction or approval of certain amounts after lapse of a period. 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 the procedure being relied upon by the petitioner, 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 after due opportunity to the petitioner within three (3) months thereafter.

6. Writ petition is, accordingly, disposed of.

(Madhuresh Prasad, J)

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