

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5303 of 2018

In
Civil Writ Jurisdiction Case No.12391 of 2016

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Kunti Kumari W/o Late Krishna Kumar Thakur Resident of Ranjan Path,
Gola Road, Police Station- Rupaspur, Bailey Road, Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary namely Pankaj Kumar, Consumer and Food Supply Department, Government of Bihar, Patna.
2. Pankaj Kumar Managing Director, Bihar State Food and Civil Supplies Corporation, Khadya Bhawan, Head Quarters, Patna
3. Prabhu Das the District Manager, Bihar State Food and Civil Supply Corporation, District- Patna
4. M.S. Arya, Regional P.F. Commissioner, Road No.- 6, Block- R, Serpentine Road, Near M.L.A. Flat, Patna- 800001.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate Mr. Alexander Ashok, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, Advocate
For the EPFO	:	Mr. Prashant Sinha, Advocate
For the State	:	Mr. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 25-01-2023 The petitioner has alleged disobedience of this Court's order dated 16.11.2017, passed in C.W.J.C. No. 12391 of 2016, whereby the petitioner's writ application was disposed of with a direction upon the Food and Civil Supplies Corporation, to authorise the pension in favour of the petitioner within a period of four weeks. The Employees Provident Fund Organisation (EPFO) was also directed to settle the pension etc. of the petitioner within a period of eight weeks thereafter.



Mr. Sinha, learned counsel appearing on behalf of the petitioner has submitted that though in compliance of the said order, pension etc. has been paid to the petitioner, but certain deductions have been made unauthorisedly and without any valid reasons. He has drawn this Court's attention to the communication dated 23.02.2017, (annexure-3), issued by the District Manager, B.S.S.C., Patna, to the effect that there was no amount recoverable against any financial loss or misappropriation caused by the petitioner. Despite that, certain amount has been deducted without any reason. He has submitted that there is no calculation made available to the petitioner to justify such deductions.

Learned counsel for the corporation has submitted that while disposing of the petitioner's representation in compliance of this Court's order the competent authority has taken into consideration the amount of advance which the petitioner's husband had received.

The order relating to disposal of representation was communicated to the petitioner through letter dated 04.12.2019. Learned senior counsel on behalf of the petitioner has submitted that the petitioner has not received such communication dated 04.12.2019. A copy of the said letter has, however, been handed



over by the learned counsel representing the corporation to the learned counsel for the petitioner today.

It goes without saying that the petitioner shall be at liberty to raise this grievance if according to her the deduction of amount is not for justifiable reasons.

(Chakradhari Sharan Singh, J)

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