

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7484 of 2023

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Rajeev Kumar S/o Nag Narayan Thakur @ Nag Nath Thakur R/o Village and
Post Chhapkahiya, P.S.- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Additional Director, Bihar Administrative Department Mission Society, Patna.
3. Additional Mission Director, Bihar Administrative Reform Society, Patna.
4. The Managing Director, Bihar State Food and Civil Supply Corporation Ltd.
5. The Chief Administrator, Bihar State Food and Civil Supply Corporation Ltd.
6. The Chief General Manager, Bihar State Food and Civil Supply Corporation Ltd.
7. The Deputy General Manager, Bihar State Food and Civil Supply Corporation Ltd.
8. The District Manager, State Food Corporation Motihari.
9. The District Magistrate, East Champaran, Motihari.
10. The District Collector Establishment, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Utkarsh Bhushan,Adv
For the State	:	Mr.Manish Kumar (GP 4)
For the BSFC	:	Mr.Shailender Kumar Singh, Adv
		Ms.Usha Kumari, Adv

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-08-2023 The petitioner's contractual service as Executive Assistant in the Bihar State Food and Civil Supply Corporation Ltd. (for brevity 'Corporation') has been terminated vide office order dated 06.5.2017, issued by the District Manager, State Food Corporation, Motihari. The same is based on allegation



involving loss/misappropriation of foodgrains from the Harsidhi and Paharpur godown of the respondent-Corporation in the District of Motihari. The petitioner seeks quashing of this order and consequences of the order.

2. The petitioner is aggrieved by the stigma attached with the impugned office order dated 06.05.2017.

3. The petitioner's other grievance is that the amount of Rs. 25,000/- security money deposited by him is not being returned because of the office order dated 06.05.2017 (Annexure 11).

4. Learned counsel for the respondent-Corporation refers to order dated 03.04.2023 (Annexure 18). From bare perusal of Annexure 18, it is apparent that the respondent authorities do not dispute the fact that the petitioner had deposited Rs. 25,000/- as a security amount when his services on contract basis were rendered to the respondent-Corporation. It is also not in dispute that the order dated 06.05.2017 (Annexure 11) was not preceded by any inquiry or ascertainment of the petitioner's role in the alleged occurrence.

5. The fact being so, this Court would hold that petitioner cannot be visited with any stigma based on Annexure 11 dated 06.05.2017, the office order issued by the respondent-



Corporation, as it without affording any opportunity whatsoever, to the petitioner.

6. The petitioner, therefore, is also entitled to refund of the amount of Rs. 25,000/-, being the security amount deposited by him at the time his services were handed over to the Corporation on contract basis.

7. Let the amount be paid to the petitioner within eight (8) weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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