

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1863 of 2018

In
Civil Writ Jurisdiction Case No.4668 of 2018

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Bijendra Kumar Singh Son of Late Gopal Sharan Singh, resident of Aattruali,
P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

1. Pankaj Kumar The Principal Secretary Food and Consumer Protection Department, Govt. Of Bihar, Patna
2. Rahul Ranjan Mahiwal the District Magistrate, Dist.- Aurangabad.
3. Pankaj Kumar the Managing Director B.S.F.C., Patna.
4. Shailendra Kumar the District Manager cum Enforcement Officer, B.S.F.C., Dist.- Aurangabad.
5. Raju Rajan Gupta the Store-in-charge B.S.F.C. Goh, District- Aurangabad.
6. Dewendra Kumar the in-charge Purchasing Centre, Goh, District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Advocate
For the BPSC	:	Mr. Anjani Kumar, Senior Advocate
		Mr. Shailendra Kumar, Advocate
For the Opposite Party/s	:	Mr. S. Raza Ahmad - AAG 5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

10 25-01-2023 The Managing Director, B.S.F.C., has presented a cheque worth Rs. 5,33,415/- issued in favour of the petitioner, in compliance of the order of this Court dated 30.03.2018, passed in C.W.J.C. No. 4668 of 2018.

Learned counsel for the petitioner has pointed out that as per this Court's order, the corporation was required to pay the admitted amount within a period of six weeks from the dated of receiving the petitioner's representation. The said amount has



not been paid within six weeks from the receipt of the petitioner's representation. In such view of the matter, the compliance of the said order dated 30.03.2018, the petitioner became entitled to receive the said payment together with simple interest of six percent per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. He submits that the amount of interest at the rate of six percent per annum has not been calculated and not a part of the amount which is being paid through the said cheque.

Mr. Vinay Kumar, the Managing Director of the corporation has submitted that it was because of an oversight that the said amount of interest could not be computed. He has undertaken that calculation of the amount of interest shall be made and paid to the petitioner within two weeks.

Learned counsel for the petitioner has raised another grievance. He has submitted that the corporation has deducted a total amount of Rs. 63,353/- from his admissible dues by way of interest without any valid reason.

I am not inclined to go into that aspect of the matter. It is observed, however, that the petitioner shall be at liberty to approach the Managing Director by making a representation in



respect of the dispute regarding the amount of the interest deducted from the petitioner's admissible amount i.e. Rs. 63,353/-.

Since the order of this Court has been substantially complied with, in my opinion, no case is made out of deliberate/willful disobedience of this Court's order.

The contempt proceeding stands dropped accordingly.

It is recorded that the cheque worth Rs. 5,33,415/- presented before this Court has been handed over to learned counsel for the petitioner itself.

(Chakradhari Sharan Singh, J)

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