IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.424 of 2024

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M/s. Stock Holding Corporation of India Limited, A Government Company (within the meaning of Section 2 (45) of the Companies Act, 2013), registered under the Indian Companies Act, 1956 having its Registered Office at 301, Centre Point, Dr. Babasaheb Ambedkar Road, Parel, P.S. Bhoiwada, Mumbai (Maharashtra) and having its Regional Office at Room Nos. 301-305, 3rd Floor, Ashiana Plaza, Budh Marg, P.S. Kotwali, Town and District Patna through its Deputy Manager, Amit Achal, Male, Aged about 49 years, son of Dr. Nagendra Prasad, Resident of Flat No.1B Shaktidham Apartment, East Boring Canal Road, Near Panchmukhi Hanuman Mandir, P.S. S. K. Puri District Patna 800001.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Vikash Bhavan, Patna.
2. The Principal Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Vikash Bhavan, Patna
3. The Inspector General (Registration), Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
4. The Deputy Inspector General (Registration), Department of Prohibition, Excise and Registration, Bihar, Patna.
5. The Assistant Inspector General (Registration), Department of Prohibition, Excise and Registration, Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. D. Sanjay, Senior Advocate with
		Mr. Mohit Agarwal, Advocate.
		Mr. Lokesh Kumar, Advocate.
For the Respondent/s	:	Mr. Advocate General.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

6 24-10-2024 This Court vide order dated 22.01.2024 while directing the respondents to file its counter-affidavit has clarified that the pendency of the present writ petition will not be a bar for making the payments due to the petitioner. Pending

the present writ petition, an amount of Rs. 26,95,53,444/- (post deduction of TDS of Rs. 94.58 Lakh) has already been paid to the petitioner.

2. Learned counsel for the petitioner has stated that the Respondent-Authorities have illegally deducted the following amounts, which are disputed by the petitioner.

Sl. No.	Amount	Claims/Remarks
1.	Rs. 8,92,20,000/-	Violations to the MSA
2.	Rs. 90,92,502/-	Delay in payment
3.	Rs. 9,63,78,782.22	Paid to BSCB & DCCBs
4.	Rs. 3,10,01,284.98	10% retention

3. Learned counsel for the petitioner has drawn the attention of this Court to the Master Service Agreement entered between the parties more particularly Clause 20 (Resolution of disputes) which reads as under:-

> *"1. In case of any dispute on any issue arising between the parties under these clauses, the parties shall make effort for amicable settlement. The party aggrieved shall make give a written notice to the other party calling upon for conciliation at a mutually agreed place and time in Patna District and thereafter, the parties shall make all efforts to amicably settle the dispute. In case of failure to settle the dispute amicably, the aggrieved party shall be at liberty to approach the Board of Revenue, Government of Bihar, Patna for resolving of dispute and the decision thereon shall be final which shall be passed after duly hearing the parties.*
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> *2. All disputes relating to this agreement arising between the parties shall be*

exclusively subject to the jurisdiction of Patna district."

4. Having regard to the above, the present writ petition is disposed of granting liberty to the petitioner to approach the Board of Revenue for resolving the dispute within a period of four weeks from the date of the receipt of the copy of this order. On such application being filed, the Board of Revenue shall consider the same and pass appropriate orders in accordance with law. The Board shall duly put all the parties on notice and grant them an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks thereof. Any order passed shall be communicated to the parties.

5. If any adverse orders are passed by the Board of Revenue, the aggrieved parties are free to challenge the same before an appropriate forum.

6. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy, J)

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