

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17618 of 2016

Shiv Shankar Yadav S/o Late Sita Ram Yadav, R/o vill. - Dhata Tola
Panchayat Gaurh Andhra, P.O. Dumra, P.S. Andhrathadhi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, District Madhubani
2. The Bihar Food and Civil Supplied Corporation Ltd. Bihar at Patna
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.
Madhubani, Distt. Madhubani
4. The Food Corporation of India, Divisional Manager, Muzaffarpur
5. The Block Development officer, Andhrathadhi, Distt. Madhubani
6. The Store In - Charge State Food Corporation P.P.C. Andhrathadhi Centre,
P.S. Andhrathadhi, Dist - Madhubani

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the State : Mr. Arvind Ujjwal- SC 4
For the BSFC : M/s Shailendra Kumar Singh
Utkarsh Utpal, Advocates

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

4 02-08-2024

1. Heard learned counsel for the parties.
2. The petitioner has filed the present application for
the following relief:

*“To quash the Memo No. 871 dated
27.04.2016 issued by the District Management,*



State Food Corporation, Madhubani, whereby and whereunder the application of the petitioner has ben rejected without considering the evidence produced to by the petitioner regarding depositing of the paddy. A copy of Memo dated 27.04.2016 is annexed herewith and marked as Annexure-1 to this application. ”

ii) To further direct to the Respondent authority to pay the amount of 522.02 quintal paddy with statutory interest.

And/or any other releief to the petitioner for which he may be found entitled under facts and circumstances of the case.”

3. At the outset, Learned counsel for petitioner contended that since this matter is squarely covered under the order dated 01.12.2023 passed in **CWJC No. 14138 of 2015 (Amrendra Kumar Vs. The State of Bihar & Ors.)**, this writ petition may also be disposed of on the same term and conditions.

4. Learned counsel appearing for the Respondent Bihar State Food and Civil Supplies Corporation does not raise any objection.

5. In view of the fact that this matter is squarely covered by the aforesaid order, without going into the merits of the case, the petitioner is directed to make representation before



the Respondent No. 3, the District Manager, Bihar State Food and Civil Supplies Corporation, Madhubai, District Madhubani for referring the matter to the Committee for ventilating their grievance along with the supporting documents within a period of four weeks from the date of the receipt of the copy of this order. On such representation being made, the Respondent No. 3 shall consider the said representation and pass necessary orders duly taking into consideration the representation along with the supporting documents filed by the petitioner. In case, the Respondent No. 7 is of the view that the order dated 06.08.2018 passed by a Division Bench of this Court in **LPA No. 881 of 2016 (The Bihar State Food and Civil Supplies Corporation Ltd. Government of Bihar, Patna Versus Nayan Kumar Sinha son of Rajballav Singh)**, wherein this Hon'ble Court has directed the constitution of a Committee consisting of the District Magistrate, the Enforcement Officer of the concerned Block and one Senior Officer of the BSFC to be nominated by the Managing Director has to be followed to look into the entire controversy and submit a report he shall do so. In case, the report of the Committee is in favour of the petitioner, the Respondent No. 3 shall pass necessary orders for payment of the amounts due to the petitioner. Any order passed by the



Respondent No. 3 shall be communicated to the party.

6. With the above direction, the present Writ Petition stands disposed of to the extent indicated above.

(G. Anupama Chakravarthy, J)

Spd/-

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