

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23278 of 2013

1. Khaira Bhudhar Primary Agriculture Credit Cooperative Society (PACS) Ltd. having its office at Village Khaira Bhudhar, P.S.- Bikramganj, District- Rohtas, through Chairman, Rameshwar Singh (Petitioner No.- 2).
- 2.1. Sunil Kumar Singh Son of Atal Bihari Singh Resident of Village- Maidhara, P.S.- Vikramganj, District- Rohtas at present Chairman of Khaira Bhudhar Primary Agriculture Credit Co-operative Society (PACS) Ltd.

... .. Petitioner/s

Versus

1. The Food Corporation of India through the Managing Director, FCI, 16-20 Barakhamba Lane, New Delhi.
2. The Executive Director, East FCI, 10A, Meddileton Road, Kolkata- 71.
3. The General Manager, FCI, Exhibition Road, Arunanchal Bhawan, Patna.
4. The Area Manager, FCI, Gaya.
5. The Depot Incharge, Nokha Godown, Food Corporation of India, Bihar Region.
6. The Quality Control Officer, Nokha Depot of FCI, Rohtas.
7. The Managing Director, Biscomaun, Gandhi Maidan, Patna.
8. The Manager, Biscomaun Bikramganj at Biscomaun Depot, Bikramganj, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Advocate
For the Respondent/s : Mr. Prabhakar Tekriwal, Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 09-05-2024

Heard the Learned counsel for the petitioner as well as
Learned counsel for the respondents.

2. The writ petition is filed seeking direction to the Food Corporation of India for making payment of price of the rice received/purchased from the petitioner *vide* Lot No. B3/P6/21 weighing 270 quintals on 30.09.2011. The



enforcement certificate was issued by the Manager, Biscomaun, Sasaram, directing the Food Corporation of India to accept 1080 quintals of rice from the petitioner. After quality analysis, rice was accepted and voucher for acceptance of payment was issued. Later, the petitioner has also made a representation for payment of amounts.

3. It is the contention of the Learned counsel for the petitioner that in similar case, this Court has directed the FCI for making payment of wheat purchased to the Biscomaun and the Biscomaun shall disburse the amount to the farmers/petitioners-societies and, therefore, prayed to pass the order in similar manner in the present Writ Petition also.

4. This Court has perused the common order passed in C.W.J.C. No. 20079 of 2014 along with analogous cases, directing the Food Corporation of India to make payments to the respective societies as well as to the farmers. Against the common order of this Court, the Food Corporation of India preferred a SLP bearing SLP(C) Diary Case No. 28200 of 2018 wherein the Hon'ble Apex Court did not interfered with the impugned judgment and orders which are stated Supra.

5. Learned counsel for the petitioners further contended that if at all the FCI has paid the amount to the



Biscomaun, the petitioners have appropriate remedies for recovery of the said amounts and further the order speaks that the FCI will comply with the direction given in the contempt proceeding within a period of four weeks from the date of order and said amount shall be disbursed to the farmers/societies within a period of four weeks.

6. The present case is also on the similar set of facts, therefore, the Area Manager, FCI, Gaya shall make payment of the amount for which the petitioners-society is entitled to. At this juncture, the Learned counsel for the respondents reported to the Court that the “Area Manager” of FCI was re-designated as “Divisional Manager”, therefore, the “Divisional Manager”, FCI, Gaya shall make payment of amounts for which the petitioners are entitled to.

7. The Biscomaun was also directed to pay the amounts to the petitioners-society, further, the petitioners-society shall credit the amounts in the Bank Account of the respective farmers.

8. The Divisional Manager, FCI, Gaya shall release the amounts within 15 days from the date of receipt or production of a copy of this order and after release of the said amount, the Biscomaun will release the said amounts to the petitioners



within a week and the same should be disbursed to the farmers within two weeks.

9. Interlocutory Application(s), if any, shall stand disposed of.

10. With the aforesaid observation, the writ petition is disposed of.

(G. Anupama Chakravarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.05.2024
Transmission Date	NA

