

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21374 of 2021

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Nawal Kishor Kumar S/o Baleshwar Singh Resident of Village Dhondhari,
PO - Bharthu, PS - Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar.
2. Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Prasad Rai Path, R- Block, Road No. 2, Patna.
3. Deputy General Manager (Administration), Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Prasad Rai Path, R- Block, Road No. 2, Patna.
4. District Manager, State Food Corporation, Nawada.
5. District Manager, State Food Corporation, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kishore Kumar Sinha, Adv.
For the State	:	Mr.Arvind Ujjwal (SC-4)
For the BSFC	:	Mr. Shailendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 07-02-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For a direction to pay the difference of amount of salary from 09.01.2018 to 17.11.2019, which was not calculated in terms of entitlement of the petitioner under guidelines of Corporation (Annexure 5) read with Resolution of General Administration Department (Annexure 16).

(ii) To make payment of salary to the petitioner from 09.01.2018 to 17.01.2018, when the petitioner joined/remained in head quarter of the respondent Corporation.



(iii) To make payment the salary of the petitioner from 25.09.2020 the date of joining at Dumariya (Gaya) till 31.10.2021, when discontinued from the post, since, the petitioner has not been paid even a single farthing for the said period (25.09.2020 to 31.10.2021).

(iv) Prayer for paying the interest at the prevailing Bank Rate over the entire amount due from the date of entitlement till the date of payments to be made.

(v) Further prayer is for a direction to continue the petitioner on the post of Assistant Manager TPDS Godown, State Food Corporation, Dumariya (Gaya). ”

2. At the outset, the learned counsel for the respondent-Bihar State Food and Civil Supplies Corporation Limited, seeks to file a counter affidavit, a copy whereof has already been filed online, which is taken on record. It is submitted by the learned counsel for the respondent-Bihar State Food and Civil Supplies Corporation Limited, that 90 % amount of arrears of salary has already been paid to the petitioner, subject to final settlement and furnishing of Last Pay Certificate by the petitioner/parent department.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to make a



detailed representation before the Managing Director, Bihar State Food and Civil Supplies Corporation Limited, Government of Bihar, Patna. Liberty so sought is granted.

4. It is needless to state that in case appropriate representation is filed by the petitioner, before the Managing Director, Bihar State Food and Civil Supplies Corporation Limited, Government of Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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