

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7447 of 2024**

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Brija Narayan Singh son of Ram Pravesh Singh resident of Village-Jinoriya,  
P.O.-Khairyadeep, Police Station-Daudnagar, Jinoriya, District-Aurangabad,  
Managing Director of M/SShree Ram Janaki Agro Processing Pvt. Ltd.,  
Jinoriya, Daudnagar, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary Department of Industry, Government of Bihar, Patna.
3. The Director, Department of Industry, Government of Bihar, Patna.
4. The Director, Food Processing Directorate Industry Government of Bihar, Patna.
5. The Deputy Director, Technical Department of Industry Government of Bihar, Patna.
6. The District Magistrate Aurangabad.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.  
For the Respondent/s : Mr. Standing Counsel (11)

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**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

7      04-02-2025      Heard the learned counsel for the parties.

2. This writ petition has been filed for the following  
relief(s):-

*“That the present is being filed for  
issuance of writ of mandamu commanding upon  
the Respondents for payment of  
remaining/Balance amount of the subsidy which  
has been sanctioned by the competent  
authorities and amount is kept pending in  
Department but not paid to the petitioner.*

*i. for quashing of the letter no. 234  
dated 14.03.2024 issued under the signature of*



*the Director, Food Processing , Bihar, Patna (Annexure- R/6 of the Counter affidavit) to the extent that petitioner has to provide no dues certificate from Bihar Food and Civil Supplies Corporation, so that an amount of Rs. 19,48,159/- may be processed for the payment.*

*ii. For direction upon the respondents to pay an amount of Rs. 19,48,159/- which is not paid to the petitioner on the wrong statement of the Bihar State food and civil supplies Corporation.”*

3. Learned counsel for the petitioner has stated that the competent authority had sanctioned an amount of Rs. 19,48,159/- towards the balance subsidy but the same is not being paid inspite of the repeated requests made by the petitioner. Learned counsel has stated that the only ostensible reason culled out from the pleadings of the respondents is that they are not paying the said amount, due to pendency of the certificate case against the petitioner. Learned counsel for the petitioner has stated that the certificate proceedings which were issued against the petitioner were already closed on 07.11.2023 and drawn the attention of the court to Annexure- 12 which is the docket sheet of the above certificate proceedings closing the same. Further, counsel has drawn the attention of the court to the letter dated 16.05.2015 wherein it is clearly stated that the entire



dues to the BSFC has already being paid.

4. In the counter affidavit filed by the respondents, it is stated that they are ready to pay the amount once the petitioner submits an NOC from the BSFC. Learned counsel has stated that getting the NOC from the BSFC is an impossible task and as on date, there are no issues pending between the petitioner and the BSFC. Learned counsel has stated that once the certificate proceedings are closed, the authorities are bound to release the balance subsidy due to the petitioner.

5. Per contra, the learned counsel appearing on behalf of the respondents has stated that though the certificate officer has closed the proceedings, the fact remains that the petitioner has to submit an NOC from the competent authority for release of the amounts but till date the petitioner has not submitted the same.

6. A perusal of the documents reveals that the authorities have withheld the amounts due to the petitioner under the capital subsidy only on the ground that the petitioner has not submitted an NOC from the BSFC. However, it is to be noted that once the certificate proceedings initiated at the behest of BSFC stand closed and it is clearly stated that no amounts are due from the petitioner, the question of submitting any NOC



from the BSFC does the arise. The letter no. 234 dated 14.03.2024 impugned in this C.W.J.C. is set aside and the authorities are directed to release the amount due to the petitioner as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. In case the authorities do not release the subsidy within the timeframe fixed by this court then the petitioner would be entitled to simple interest at the rate of 8 per cent per annum from the date of sanction till the actual release of the amount.

7. With the above directions, the present writ petition stands disposed of.

**(A. Abhishek Reddy , J)**

Gauravkr/-

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