

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16662 of 2013

1. Usha Thakur Wife Of Late Shiv Nath Thakur Resident Of Village - Rajepur Nawada, P.O and P.S. Pakaridayal, District - East Champaran, At Present C/O Sri Ratneshwar Thakur, Mohalla - Nnew Agarawa, Near Lord Shiva Temple, P.O. Motihari, P.S. Town, District - East Champaran
2. Prashant Kumar Son Of Late Shiv Nath Thakur Resident Of Village - Rajepur Nawada, P.O and P.S. Pakaridayal, District - East Champaran, At Present C/O Sri Ratneshwar Thakur, Mohalla - Nnew Agarawa, Near Lord Shiva Temple, P.O. Motihari, P.S. Town, District - East Champaran
3. Prakash Anand @ P. Anand Son Of Late Shiv Nath Thakur Resident Of Village - Rajepur Nawada, P.O and P.S. Pakaridayal, District - East Champaran, At Present C/O Sri Ratneshwar Thakur, Mohalla - Nnew Agarawa, Near Lord Shiva Temple, P.O. Motihari, P.S. Town, District - East Champaran
4. Kumar Keshav Son Of Late Shiv Nath Thakur Resident Of Village - Rajepur Nawada, P.O and P.S. Pakaridayal, District - East Champaran, At Present C/O Sri Ratneshwar Thakur, Mohalla - Nnew Agarawa, Near Lord Shiva Temple, P.O. Motihari, P.S. Town, District - East Champaran
5. Kumari Supriya Daughter Of Late Shiv Nath Thakur Resident Of Village - Rajepur Nawada, P.O and P.S. Pakaridayal, District - East Champaran, At Present C/O Sri Ratneshwar Thakur, Mohalla - Nnew Agarawa, Near Lord Shiva Temple, P.O. Motihari, P.S. Town, District - East Champaran
6. Vibha Kumari Wife Of Sanjay Singh Resident Of Village, P.O. and P.S. Patahi, District - East Champaran
7. Rubi Kumari Wife Of Prashant Kumar Kashyap Resident Of Mohalla - Sri Krishna - Nagar, P.O. Motihari, P.S. Town, District - East Champara

... .. Petitioner/s

Versus

1. Bihar State Food and Civil Supplies Corporation Ltd., Sone Bhawan, 5th Floor, Birchand Patel Path, Patna
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Sone - Bhawan 5th Floor, Birchand Patel Path, Patna
3. The Chief Of Finance, Bihar State Food and Civil Supplies Corporation Ltd., Sone - Bhawan 5th Floor, Birchand Patel Path, Patna
4. The District Manager, Bihar State Food And Civil Supplies Corporation Ltd. Darbhanga

... .. Respondent/s



Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
Mrs. Shilpi Singh, Advocate
Mr. Utkarsha Utpal, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

11 18-12-2025 No one appears for the petitioners. Learned counsel for the Bihar State Food and Civil Supplies Corporation is present.

2. The petitioners who are the heirs of Late Shiv Nath Thakur have filed the instant application for the reliefs as stated herein below:

“1.1. To issue a writ of mandamus, commanding the respondents to discharge their legal obligation to sanction and pay the salary of January and February 2002 not paid as yet to late Shiv Nath Thakur due to clerical error.

1.2. To issue a writ of mandamus, commanding the respondents to discharge their legal obligation to sanction and pay arrear-salary from 1st April 1997 to 31st January, 2005 accrued due to re-fixation of salary in revised scale.

1.3. To quash the order deducting interest of Rs 146305.34/- on the amount of shortages, from the salary of late Shiv Nath



Thakur.

1.4. To issue further writ of mandamus, commanding the respondents to pay interest @ 18% per annum on the arrears of salary withheld illegally since the date the amounts became due, till the date of its payment.

1.5. To any other relief(s) to which the petitioners may be found entitled to.”

3. The deceased employee retired as Assistant Godown Manager from the Bihar State Food and Civil Supplies Corporation.

4. From the contents of the supplementary counter affidavit filed on behalf of the Corporation, it transpires that the auditor examined the claim of the employee concerned and recommended payment of an amount of Rs. 68,897.34 to the petitioner. As per the Corporation, the said amount has already been received by a cheque dated 2.9.2007. The relevant paragraphs of the counter affidavit filed on behalf of the Corporation is reproduced herein below for ready reference:

“4. That as per audit report vide letter No. 3201 dated 15.4.2008, the auditor has examined the petitioner’s husband claim and after adjustment of Advance and less amount recommended to pay amount of Rs.68,897.34 to the petitioner.



Photocopy of letter dated 15.4.2008 is annexed herewith and marked as Annexure-X to this supplementary affidavit.

5. That as per letter dated 10.10.2007 issued by the District manager SFC, Darbhanga, the petitioner has already received payable amount of Rs.68,819/- through cheque No. 607343 dated 2.9.2007.

Photocopy of letter dated 10.10.2007 is annexed herewith and marked as Annexure-Y to this supplementary affidavit.

6. That as per aforesaid letter, the petitioner's is liable to deposit balance recoverable amount of Rs.77114.47 in the account of SFC, but that amount has not deposited till date.

7. That as per Annexure-4 to writ petition, that amount has already received by petitioner through Cheque o. 607343 dated 2.9.07 amount of Rs.68,819/-.

8. That the petitioner's husband grievance has already redress earlier and paid to the petitioner.”

5. In view of the above, the grievance of the petitioner having been redressed, there is no reason for keeping the instant



application pending.

6. The writ application stands disposed off.

(Partha Sarthy, J)

saurovkrishna/-

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