IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13659 of 2017

Shambhu Nath Kesari Son of Narayan Prasad Kesari, proprietor of M/s Priyanshu Rice Mill, Resident of Village- Mahalla Rikabganj, P.S.- Tikari, District- Gaya.

... ... Petitioner/s

Versus

1. The Food And Consumer Protection Department Through Its Principal Secretary, Bihar at Patna
2. The State of Bihar through District Magistrate, District- Gaya.
3. The Bihar State Food and Civil Supplies Corporation Limited through its M.D. Bihar at Patna.
4. The District Manager, The Bihar State Food and Civil Supplies Corporation Limited, District- Gaya.
5. The Deputy Chief Finance, The Bihar State Food and Civil Supplies Corporation Limited, Bihar at Patna
6. The District Certificate Officer, Gaya, District- Gaya.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sumeet Kumar Singh, Advocate
For the Respondent/s	:	Mr.S.Raza Ahmad-Aag5
	:	Mr. Shailendra Kr. Singh, Advocate
	:	Mr. Utkarsha Utpal, Advocate

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

Date : 25-07-2025

1. The Writ petition is filed for following reliefs:-

> *I. That the present writ application has been filed for the issuance of the appropriate writ order(s) or direction(s) in the nature of Certiorari for setting aside the order dated 06.02.2017 in which*

deducted money under the heading of Gunny bags for the procurement year 2012-13 of Rs. 7,24,363.92/- and also Rs.4,18,261.20/- for the year 2013-14 i.e. total amount of Rs. 11,42,625.12 (Rs. Eleven Lac Forty Two Thousand Six Hundred Twenty Five only); on the ground that no opportunity/no notice has given by the petitioner and the order has been passed, without seeking the document;

II. That the present writ application is being filed in the nature of Certiorari for setting aside the order dated 03.02.2016 bearing letter no. - 1503 issued by the Chief of Finance, B.S.F.C., Patna to the District Manager, B.S.F.C., Gaya in which deducted money under the heading of Gunny Bags for the procurement year 2014-15 of Rs. 185696/-; on the ground that no opportunity/no notice has given by the petitioner and the order has been passed, without seeing the document;

III. That the present writ application is being filed in the nature of Mandamus to decide the representation filed by the petitioner dated 18.03.2017 by the independent authority/ respondent authority after giving opportunity of hearing against letter dated 06.02.2017 and 03.02.2016 which has been issued by Managing Director, B.S.F.C. and chief of Finance, B.S.F.C., Bihar at Patna.

IV. And for the issuance of any other relief or relief(s) for which the petitioner is entitled to in the facts and circumstances of the present case.

3. During the course of arguments, the Learned counsel for the petitioner reported that he has made a representation dated 17.03.2017 (Annexure-8), but the same was not considered by the respondent authorities and therefore, the Writ petition is filed.

4. On the other hand, the Learned counsel for the respondents submitted that there is no endorsement on the said representation indicating that it was received by the respondent authorities. It is also contended by the Learned counsel for the respondent that a fresh representation may be filed by the petitioner to enable the respondents to pass appropriate orders basing on the said representation.

5. Taking into consideration, the representation dated 17.03.2017 is not found to be within the domain of the respondents, therefore, this Court directs the petitioner to file a fresh representation within one month from the date of receipt of a copy of this order. In turn, the respondent authority shall also pass appropriate orders considering the merits of the case within two months from the date of receipt of this order.

6. With the aforesaid observations, the Writ petition is disposed of.

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

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29.07.2025
Transmission Date	N/A