

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9466 of 2018

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Mannu Kumar Singh S/o Sri Pramod Singh, R/o Village- Chandra Pura,
Nanhkar, P.S.- Chandrapura, District- Vaishali Proprietor Prti Road Lines.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Food and Consumer Department, Bihar, Patna
2. The Bihar State Food Corporation through Managing Director, Khadiya Bhavan Darauga Rai Path, R Bloc
3. The Managing Director, Bihar State Food Corporation, Khadiya Bhavan, Darauga Rai Path, R Block Road No. 2, Patna - 800001
4. The Chief of Finance, State Food Corporation HO, Bihar, Patna.
5. Deputy Chief Computer HO, State Food Corporation, Bihar, Patna.
6. The District Collector, Vaishali.
7. District Manager, State Food Corporation, Vaishali, Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Mohan Mishra, Advocate
For the State	:	Mr. Arvind Ujjwal SC 4
For the BSFC	:	M/s Shailendra Kumar Singh, Utkarsha Utpal, Shilpi Singh, Advocates

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 04-07-2025

1. The petitioner has filed the instant application for the following reliefs:

“i. To quash the order order contained in letter no. 13413 dated 09.11.2016 whereby and where under respondent Managing Director of State Food Corporation has imposed a penalty of Rs. 10,00,000/-.

ii. To issue appropriate writ



directing respondent to pay Rs. 2,57,15,514/- which is due on account of transporting handling charge as well as the amount of advance and bank guarantee.

lii. To hold and declare that the imposition of penalty and deduction of amount from bill is illegal and unjustified in view of the fact that the petitioner had transported commodities in full satisfaction of the respondent and no quantity were found shortage in transportation neither any damage were caused.

iv. To further quash and set aside order contain in letter no. 1685 dated 15.10.2016 issued by respondent District Manager, Vashali whereby and where under amount Rs. 15,6796.50/- has been deducted on account of damage however for no reason..

v. To issue any other writ / writs, order/orders, direction/directions as your honour deem fit and proper."

2. During the course of the arguments, it is contended by the Learned counsel for the petitioner that the petitioner has made a



representation vide Annexure-6, dated 30.07.2017 which is pending before the authorities and no order has been passed. He modifies his reliefs during course of argument, contending that the representation may be disposed of by the concerned respondent.

3. On the other hand, the Learned counsel for the respondents contended that the petitioner may file a fresh representation, renewing all the facts along with supporting documents, to enable the respondent to pass an appropriate order as the matter pertains to the year 2017.

4. Heard the Learned counsel for the petitioner and the the Learned counsel for the respondents.

5. Therefore, the petitioner is directed to file a representation before respondent No. 3 within one month from the date of receipt of the order of this Court with all relevant documents, and in turn, respondent No. 3 shall consider the case on merits and shall pass appropriate order within three months from date of filing of the



representation.

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

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

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.07.2025
Transmission Date	

