IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16402 of 2024

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Jai Maa Bhawani Rice Mill, through its proprietor Ajay Kumar Jaiswal(mail), aged about 75 years, son of late Shivji Prasad Jaiswal, resident of mohalla- Abdulpur(near Durga Place), Vaishali, P.S. Mahua, District- Vaishali at Hajipur.

... ... Petitioner/s

Versus

1. The Chief Finance, State Food Corporation, Bihar State Food and Civil Supplies Corporation Limited, Head Quarter. Darogarai Path, Patna, District- Patna.
2. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Vaishali (Hajipur)

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Prasad
For the Respondent/s	:	Mr. Shailendra Kumar Singh
		Mrs. Shilpi Singh
For the UoI	:	Mrs. Kanak Verma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

10 07-11-2025

1. The petitioner was running a rice mill in the name and style of M/s. Jai Maa Bhawani Rice Mill, situated at Vaishali, Hajipur, and he was engaged in milling and lifting/distribution work of paddy/rice as per the direction of the Bihar State Food and Civil Supplies Corporation Limited. For the financial year 2013-14, the petitioner carried out the distribution/lifting work of paddy/rice and submitted the bill of worth Rs. 3,55,580/-.

2. Seeking payment of the aforesaid amount, the petitioner approached this Court in CWJC No. 847 of 2019 and this

Court vide its order, dated 20.02.2020, disposed the writ application with liberty to the petitioner to approach the District Manager, Bihar State Food and Civil Supplies Corporation Limited, Vaishali (Hajipur), by filing representation and further directed the respondent no. 2 to consider the representation of the petitioner.

3. The respondent no. 2-District Manager, Bihar State Food and Civil Supplies Corporation Limited, Vaishali, Hajipur, considered the representation of the petitioner and disposed the same vide order, dated 21.02.2022, and found that the petitioner is entitled to be paid a sum of Rs. 2,12,522/- against the total bill amount of Rs. 3,55,580/- after necessary deduction.

4. Learned counsel for the petitioner submits that a sum of Rs. 1,35,235/- has been deducted for gunny bags and Rs. 7,823/- has been deducted as income tax. Insofar as deduction towards gunny bags is concerned, the submission is that the petitioner has returned the gunny bags to the respondent-authorities, which would be evident from Annexure-5, dated 01.04.2016.

5. On the other hand, learned counsel for the Bihar State Food and Civil Supplies Corporation Limited submits that the petitioner has not returned the gunny bags worth Rs. 1,35,235/- and the said amount has rightly been deducted from the total bill amount submitted by the petitioner.

6. Referring to the Annexure-5, dated 01.04.2016, learned counsel submits that the this letter was signed by the District Manager, Bihar State Food and Civil Supplies Corporation Limited, Vaishali, Hajipur, to the Assistant Manager, Fruit and Vegetable Development Corporation, Vaishali, Hajipur, and from the endorsement made in the said letter it is not clear that the petitioner has returned the gunny bags as claimed by him.

7. Having considered the submissions made by the parties and going into the materials available on record, it appears that the bill amount of Rs. 3,55,580/- was considered for payment by the respondent-authorities and after necessary deduction an admitted amount of Rs. 2,12,522/- has already been paid to the petitioner.

8. The disputed amount of Rs. 1,35,235/- cannot be directed to be paid to the petitioner under the writ jurisdiction. Accordingly, the writ application is disposed with liberty to the petitioner to file an appropriate case before an appropriate court of civil jurisdiction claiming the disputed deducted amount of Rs. 1,35,235/-, which has been deducted by the respondent/s for not returning the gunny bags.

9. With the aforesaid observation and direction, this writ application is, accordingly, disposed.

(Anil Kumar Sinha, J)

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