

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23119 of 2018

1. Vijay Kumar Sah son of Late Sudama Sah resident of Village- Dihi Pakdi, P.S. Bhitaha, District- West Champaran.
2. Smt. Soni Devi wife of Shri Vijay Kumar Sah resident of Village- Dihi Pakdi, P.S. Bhitaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The Bihar State Food and Civil Supplies Corporation Ltd., Patna.
4. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd, Patna.
5. The Head Finance, Bihar State Food and Civil Supplies Corporation Ltd, Patna.
6. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Bettiah, at Bettiah, P.S. and District- Bettiah.
7. The District Magistrate, West Champaran at Bettiah.
8. The District Supply Officer, West Champaran at Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Adv. Mr. Subhash Kumar Jha, Adv.
For the BSFC	:	Mr. Shailendra Kr. Singh, Adv. Mr. Utkarsha Utpal, Adv.
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 01-09-2025

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

“For issuance of a writ in the nature of mandamus commanding the respondents to make payment of remaining amount of the bill for working as



Transportation Contractor under door step delivery of respondent-Bihar State Food and Civil Supplies Corporation Ltd., Bettiah with admissible interest as the same is not being paid by the respondents even after successful completion of work and further for consequential benefits flowing from the said direction of payment of remaining part of bill.”

2. The brief facts, as culled out from the Writ petition are that the respondent-Bihar State Food and Civil Supplies Corporation (hereinafter referred as BSFC), in the month of August, 2014, issued orders in favour of the petitioners and allotted work vide order dated 19.07.2014 at a fixed rate as “Transport Handling-cum-Delivery Contractor”. The supply was related to the Mid Day Meal scheme. The petitioners were not permanent suppliers, rather they had been engaged to meet emergency requirements. At the relevant time, there was no GPS facility available in the vehicles of the petitioners. The petitioners have successfully completed the allotted work



order without any complaint. However, the payment for work executed was not released. Both the petitioners made representations before respondent No. 7, i.e., the District Magistrate, Bettiah, vide Annexure-4 series. In spite of it, the dues of the petitioners were not released, and therefore, the petitioners were constrained to file the present Writ petition.

3. A detailed counter affidavit was filed by the respondent No. 6, i.e., the District Manager, BSFC. The contents of the counter affidavit disclose that the respondent No. 6, after examining the case of the petitioners on 20.03.2018, issued a letter on 14.08.2019 to the District Supply Officer, Bettiah seeking information in light of the letter No. 11343 dated 14.09.2016, whereby a certificate of distribution of foodgrain had to be obtained from the district, before the bills of the petitioner could be processed for payment. Further, the counter disclose that the petitioner No. 1 submitted his bills for the period of August 2014 to March 2015, while petitioner No. 2



also also submitted his bills for the same period, which remain pending. However, respondent No. 8 has not submitted the requisite certificate regarding distribution of the foodgrain to 7th respondent. Further, respondent No. 6 issued a letter dated 16.08.2019 to the respondent No. 4, pointing out that in many truck challans, page numbers of the stock register were not mentioned. There was no endorsement on the reverse of the R.T. Note by the Assistant Godown Manager regarding the handling charges paid by the Transport Agent to labourers at the revised rate. The Bills were also found lacking signatures, stamps, and entries relating to the relevant dates.

4. During the course of arguments, the Learned counsel for the respondent No. 6 submitted that though the petitioners had made representations before respondent No. 7, it is the Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Patna, who, being the head of the department, who is the competent authority, to examine the relevant documents of



the petitioners and to pass appropriate orders.

5. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

6. Without going into the merits of the case, this Court directs the petitioners to file a representation before respondent No. 4, i.e., Managing Director, Bihar State Food and Civil Supplies Corporation Ltd, Patna, within one month from the date of receipt of this order, along with all relevant documents. In turn, the respondent No. 4 shall dispose of such representation, in accordance with law, after considering all the relevant documents filed by the petitioners, within a period of three months from date of its filing.

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

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.09.2025
Transmission Date	

