

Court No. - 21

Case :- WRIT - C No. - 38755 of 2023

Petitioner :- Khurshed Ahmad

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Raj Kumar Singh, Sunil Kumar Singh

Counsel for Respondent :- C.S.C

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus directing respondent no.3 to ensure payment of a sum of Rs. 4,00,786/- to the petitioner as balance amount due to him for the work done by him during Dadari Mela-2021 in pursuance of the contract awarded to the petitioner.

2. In previous Writ C No. 7936 of 2022 filed by the petitioner, this Court by order dated 19.4.2022 directed the respondents to decide the representation of the petitioner dated 17.01.2022. In compliance thereof, the representation has been decided by order dated 01.04.2023. It records that the financial condition of Nagar Palika is very bad. In the month of January, 2023, a sum of Rs. 2,00,000/- was paid to the petitioner. Request has been made to the State Government to release more funds. As soon as funds are available, payment will be made.

3. It is not disputed that on 25.04.2023, another sum of Rs. 8,00,000/- has been paid to the petitioner.

4. The aforesaid fact clearly demonstrates that the Nagar Palika is making efforts to make payment to the petitioner. Therefore, we are not inclined to issue any further direction at this stage.

5. The writ petition is accordingly, **disposed of** with no further direction, however, without prejudice to the right of the

petitioner to avail appropriate remedy, in case, the entire payment is not made within next six months.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, ACJ.)

Order Date :- 24.11.2023

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