

Court No. - 3

Case :- WRIT - C No. - 11373 of 2023

Petitioner :- M/S Avinash Chandra Mishra Contractor, Gonda Thru. Its Proprietor Avinash Chandra Mishra

Respondent :- Union Of India Thru. Secy. Ministry Of Human Resource Development, New Delhi And 4 Others

Counsel for Petitioner :- Mohd.Areeb Siddiqui, Mohd. Mustafizul Haq

Counsel for Respondent :- A.S.G.I., C.S.C., Pradeep Tiwari

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for petitioner, learned Standing Counsel for the State, Sri Ambrish Rai, learned counsel for the Union of India and Sri Pradeep Tiwari, learned counsel respondent nos.4 and 5.

2. Petitioner has approached this Court claiming that his firm was blacklisted and the earnest money was seized. Thereafter, the said order was withdrawn by order dated 20.2.2019 of District Basic Education Officer, Lucknow, but the earnest money has not been returned as yet.

3. Learned counsel for petitioner submits that grievance of petitioner would be sufficiently met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

4. Learned counsel for respondents have no objection to the same.

5. In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.5-District Finance and Accounts Officer, Basic Shiksha, Lucknow, raising all their grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of their claim within a period of two weeks from today along with a certified copy of this order.

6. In case such a representation is moved by petitioner, respondent no.5 shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of two months from the date, a certified copy of this order along with representation is placed before him.

7. It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

8. With the aforesaid directions, present writ petition is ***disposed of***.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 22.12.2023

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