

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3409 of 2015

Sushil Kumar, Son of Late Gauri Shankar Prasad, Resident of Mohalla-Kashipur,
Ward No. 14, P.O. and P.S. - Samastipur, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Transport,
Bihar, Patna.
2. The District Magistrate-cum- District Election Officer, Gaya.
3. District Magistrate-cum- District Election Officer, Nalanda.
4. District Magistrate-cum- District Election Officer, Katihar.

.... Respondents

Appearance :

For the Petitioner : Mr. Sunil Kumar Gupta, Advocate
For the State : Mr. Ravish Chandra, A.C. to S.C.16

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 18-03-2015

I have heard learned counsel for the
petitioner and the State.

The grievance of the petitioner is that though
his vehicle was used during the Lok Sabha Election, 2014
for a period from 4.4.2014 to 25.4.2014, the due amount
for use of vehicles is not being paid by the District
Magistrates of the districts of Gaya, Nalanda and Katihar.

In several cases of this nature, this Court has
recorded its displeasures after noticing that the vehicles
are being seized and then utilized during the elections but
due amounts are not being paid. In some cases, it has been
found that, after seizure of vehicle in one district that is

given to other districts, after using it during elections, by the authority concerned but payment of amount due for use of such vehicle is not being done within a reasonable period and the owners of vehicles are compelled to move from one district to another.

This is an another case of such nature. It appears from Annexure-3 series that the concerned vehicle bearing Registration No.BR-31A-2467, which was initially registered in the name of the mother of the petitioner and, thereafter, having been transferred in his name as has been claimed in paragraph-13 of the writ application after her death on 02.01.2014, was used during elections and, despite representations having been filed vide Annexure-5 series, petitioner claims that payments have not been made as yet.

In such a situation, this Court is constrained to direct the respondent nos.2, 3 and 4, i.e., the District Magistrates, Gaya, Nalanda and Katihar to make immediate payment of the admitted dues of the petitioner, if any, within a period of four weeks from the date of receipt/production of a copy of this order after making necessary calculations. If such payment is not made within the aforesaid period then the petitioner would be



entitled for simple interest over unpaid amount at the rate of 10% per annum to be calculated from the date when such amount became due till its payment.

Accordingly, this writ application stands disposed of.

(Dr. Ravi Ranjan, J)

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