

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15908 of 2015

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Angika Naya Sawera Sansthan through its President, Subhash Yadav, Son of Late Prakash Yadav, Resident of Village - Tagepur, P.O. & P.S. - Jagdishpur, District - Bhagalpur at present address Karhariya, Duragasthan, Ward No. 10, Under Nagar Panchayat, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Rural Development Department, Bihar, Patna.
3. The District Magistrate, Banka.
4. The D.D.C. cum Chairman, District Rural Development Authority, Banka.
5. Nazir, District Rural Development Authority, Banka.
6. The Block Development Officer, Shambhuganj, P.S. - Shambhuganj, District - Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Narain Mishra
Mr. Rajendra Prasad Yadav
For the Respondent/s : Mr. Md. N. Hoda Khan, SC-18
Mr. Md. Irshad, AC to SC-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-10-2015 Heard Mr. Satya Narain Mishra, learned counsel

appearing on behalf of the petitioner and learned counsel for the

State.

The petitioner has prayed for a direction to the respondents more particularly the respondent no.4, the Deputy Development Commissioner –cum- Chairman, District Rural Development Authority, Banka and the respondent no.6, the Block Development Officer, Shambhuganj in the district of Banka to make payment of the admitted amount in terms of the order bearing Memo no.94 dated 26.3.2013 passed by the



Deputy Development Commissioner, Banka according where to a sum of Rs.98,350/- has been approved for payment subject to certain stipulation vide Annexure-6 and a further sum of Rs.1,44,000/- has been approved for payment with certain stipulation vide Memo no.95 dated 26.3.2013 present at Annexure-6 'A'.

Mr. Mishra, learned counsel appearing for the petitioner submits that the dues of the petitioner has been approved by the Deputy Development Commissioner, Banka subject to its confirmation in the backdrop of the vouchers but no step has been taken in this regard by the Block Development Officer in two years despite a legal notice having been served upon them and hence this writ petition.

Having heard learned counsel for the parties and considering the circumstances reflecting from Annexures 6 and 6 'A' which are orders of the Deputy Development Commissioner giving approval for payment of a sum of Rs.98,350/- and a sum of Rs.1,44,000/- respectively to the petitioner albeit subject to stipulations mentioned therein, the writ petition is disposed of with a direction to the Deputy Development Commissioner, Banka and Block Development Officer, Shambhuganj to ensure payment of the said sum in the

light of the stipulations present expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order. In case, for any reason there is any objection to the payment, the same should be disposed of by a speaking order within the same time but only after opportunity of hearing to the petitioner.

(Jyoti Saran, J)

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