

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4004 of 2015

Pradeep Kumar son of late Ram Gopal Mahesaria Proprietor of M/S Durgha Printing Works Rajendra Nagar , Near Golambar P.S. Kadamkaun, Patna.

.... Petitioner

Versus

1. The Secretary (Gramin Vikash) Rural Development, Govt. of Bihar, Patna.
2. The Commissioner, Tirhut Division Muzaffarpur Bihar.
3. The District Magistrate, Muzaffarpur.
4. The Deputy Development Commissioner, Muzaffarpur.

.... Respondents

Appearance :

For the Petitioner : Mr. Rajesh Dayal, Advocate

For the State : Mr. Rakesh Prabhat, A.C. to S.C.9

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 07-04-2015

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

Petitioner claims that he being Proprietor of M/S Durgha Printing Works, Rajendra Nagar. In response to the oral order for supply of Books and Multi Color Pamphlets and Vishwa Pryawaran Divas Book given by the respondent nos.3 and 4 on the eve of the World Environment Day 2009, he had supplied the requisite materials but the payment of admitted dues are not being made. The petitioner had already approached the respondent no.2, i.e., the Commissioner, Tirhut Division, Muzaffarpur who, vide Annexure-3, had written to the District Magistrate-Cum-District Programme Coordinator,

Muzaffarpur to do the needful but still nothing has been paid.

Having regard to the aforementioned facts and circumstances, the writ petitioner is directed to approach before the respondent no.3, i.e., the District Magistrate within a period of four weeks by filing a representation along with a copy of this order. On such representation being filed on behalf of the petitioner, the District Magistrate, Muzaffarpur would be obliged to examine the matter and also as to whether concerned orders were placed or not and whether the petitioner had supplied the materials or not. Thereafter, he would be required to take a decision for payment of admitted dues of the petitioner. If the dues of the petitioner are found admitted then immediate steps for payment of the same should be taken along with security deposit, if any, preferably within a period of four weeks from the date of taking such decision. If the District Magistrate comes to conclusion that amounts are not due then he would have to pass a reasoned order and that should be immediately communicated to the petitioner who would be at liberty to assail the same before a competent forum. However, if the amount is found to be due and is not paid within a further period of four weeks from the date of such decision taken by the District Magistrate then that would



carry simple interest @ 10% per annum to be calculated from the date it became due till the date of its final payment.

This writ application, accordingly, stands disposed of.

(Dr. Ravi Ranjan, J)

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