

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.551 of 2009

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1. M/S Punam Printing Press, Jamui under the proprietorship of Krishna Pandey son of late Basudev Pandey, resident of village Mahisouri Chowk, P.S. and District Jamui
 2. M/s New Punam Press (OFFSET), under the proprietorship of Ravindra Kumar Pandey, son of late Basudev Pandey, resident of village Mahisauri Chowk, P.S. and District Jamui
 3. M/s Bharat Printing Press, Jamui under the proprietorship of Sunil Kumar Keshri, son of Sri Bajnath Prasad Keshri, resident of Mohalla Maharajganj, P.S. and District Jamui

.... Petitioners

Versus

1. The State of Bihar
2. The Commissioner, Bihar State Election Commission, Patna
3. The District Election Officer, (Panchayat) cum District Officer, Jamui
4. The District Panchayat Raj Officer, Jamui

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra
For the Respondent/s : Mr. (Gp12)
Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 20-01-2015 Heard learned counsel for the parties.

The prayer of the petitioners in this writ application reads as follows:

“That present petition is being filed for an appropriate writ/writs, order/orders, direction/directions commanding the respondent for making payment of the pending bill amount with interest to the petitioners which has earlier been submitted against the printing works done by the petitioners during the Gram Panchayat Election, 2006.”

Learned counsel for the petitioners submits that even when there is no dispute with regard to pending bill of the



petitioner for the printing work done by them during Gram Panchayat Election, 2006, its payment has not been made by the Collector of Jamui as well as District Panchayati Raj Officer, Jamui.

Let it be noted that this writ application was filed on 12.1.2009 and today when this writ application has been taken this Court would find that the learned counsel for the State has not filed the counter affidavit even when such an opportunity was given by this Court by an order dated 14.5.2010.

Learned counsel appearing on behalf of the Election Commission has submitted that the Commission has no role either in issuance of the work order or payment of the bills for the printing work done by the petitioners and such responsibility has to be discharged only by the district authorities.

This Court would find that the district authorities have been safely avoiding to answer their liability and that is how they have not even filed the counter affidavit in a period of more than six years ever since this writ application was filed.

That being so, this Court would direct both respondents no. 3 and 4, the Collector of Jamui and the District Panchayati Raj Officer, Jamui to ensure that whatever legitimate and admitted amount of the petitioners is payable, that must be paid to the

petitioners within a period of three months from the date of receipt of this order.

It goes without saying that if certain amount claimed by the petitioners either as a whole or in part is not found admissible and payable for any valid and justified reasons, the same would be communicated to the petitioners in the same period of three months.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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