

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.824 of 2014

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Gauri Shankar Pradhan, S/o Sri Permanand Pradhan, Proprietor of Gauri Tent House, Lohia Chauk, P.S+ P.O- Benipatti, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, District- Madhubani, Pin- 847211.
3. The Sub Divisional Officer, Benipatti, District- Madhubani, Pin- 837223
4. The Block Development Officer, Harlakhi, District- Madhubani, Pin- 847240.

.... Respondents

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Appearance :

For the Petitioner : M/s. Kamala Pd. Roy,
Satya Ranjan Sinha,
Seema Kumari, Advocates

For the State : None

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 03-02-2015

I have heard learned counsel for the petitioner. No one appears on behalf of the State.

However, in view of the order which is going to be passed in this case, the same is being disposed of without further waiting for filing of any counter affidavit though no counter affidavit has been filed as yet despite a copy of the writ petition was served upon the State on 23.12.2013 itself.

Petitioner seeks following reliefs:-

- “1.(I) To direct the concerned Respondents to pay the bill for expenses amounting to Rs.10,59,600.00 with penal interest for the Baricating work and Barrier on 16.1.2012 on the occasion of Hon’ble Chief Minister Seva Yatra in village Khirhar, District- Madhubani forth weth.
- (II) To any other benefit to the petitioner may also be

considered for payment in accordance with law.
(III) To grant any other Relief/reliefs which the petitioner may be found entitled.”

It is submitted that the petitioner, who claims to be the proprietor of Gauri Tent House, was assigned some barricading works at the time of visit of the Chief Minister of the State. Learned counsel submits that the Assistant Engineer has given certificate of the barricading work done by the petitioner. Thereafter, the petitioner has submitted his bills which was forwarded by the B.D.O. Harlakhi to the District Magistrate, Madhubani vide Annexure 4 dated 27.03.2012 itself but no payment has been made as yet even though the petitioner has also represented to the District Magistrate, Madhubai and ultimately has given a legal notice also in the year 2013.

In the aforesaid factual matrix, this case is being disposed of with a liberty to the petitioner to approach afresh to the District Magistrate, Madhubani by filing a representation along with a copy of this order and all the copies of the bills which have been submitted by him to the concerned officer. If such representation is filed by the petitioner then the District Magistrate should enquire into the matter, consider his representation and take a decision in accordance with law within a period of one month from the date of filing of such representation. In case petitioner is found entitled for receiving some amount for the work done by him then the same should be made to

him within a further period of one month from the date of taking such decision. The decision taken by the District Magistrate should immediately be communicated to the petitioner.

(Dr. Ravi Ranjan, J)

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