

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 12312 of 2011

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Ram Chandra Singh, S/o Late Bansropan Singh Resident of Village- Ujain Dihra,
P.O. Pachrukhiya, P.S- Piro, District- Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Accountant General, Bihar, Patna.
3. The Collector, Bhojpur at Ara.
4. The Additional Collector, Establishment, Bhojpur at Ara
5. The District Panchayat Raj Officer, Bhojpur at Ara.
6. The Sub-Divisional Officer, Bhojpur at Ara.
7. The Block Development Officer, Tarari, Bhojpur, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Munna Prasad Singh & Mr. Umesh Kumar Verma, Advocates.
For the A.G. (Res. No. 2)	`:	Mrs. Namrata Mishra, Advocate.
For the State	:	Mr. Anil Kumar Upadhyaya, S.C. 20. Mr. Naresh Prasad, A.C. to S.C. 20.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-10-2015

Heard learned counsel for the parties.

From the materials brought on record, it appears

that the dispute now relates only with regard to whether the petitioner is liable to make payment of Rs. 2,60,832/- on the ground that he was entrusted rice for eight schemes in the year 2005-06 amounting to 416 quintals which has not been accounted for.

Learned counsel for the petitioner submits that he

had submitted the MB vouchers but the respondents are not taking into consideration the materials available with them.

Learned counsel for the respondents, on the other

hand, submits that when the petitioner could not submit the MB

vouchers for the relevant schemes, the authorities themselves conducted an enquiry where it was found that there was no MB vouchers available for that period and accordingly it has been held that the petitioner would be liable to make payment of Rs. 2,60,832/- being the price of 416 quintals of rice.

In view of the aforesaid, the Court is not in a position to give a finding of fact either way. Accordingly, the writ petition stands disposed off with a liberty to the petitioner to appear before the respondent no. 6 within three weeks from today along with a copy of this order. Upon doing so, the respondent no. 6 shall give opportunity to the petitioner to convince and demonstrate with regard to his claim of having submitted the MB vouchers with regard to 416 quintals of rice which was entrusted to him in the year 2005-06. Let the said exercise be completed within one week from the date the petitioner appears before the respondent no. 6. Thereafter, the amount which is held either payable to the petitioner or due from him, shall accordingly be recalculated and consequential orders shall also be issued expeditiously.

(Ahsanuddin Amanullah, J.)

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