

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4005 of 2015

=====

Amit Kumar Dwivedi, S/o- Ramayan Dwivedi, resident of Village- Phulia, Bairiya,
West Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Health Deptt. Govt. of Bihar, Patna.
2. The District Magistrate-Cum-Chairman, District Health Society, West Champaran, Bettiah.
3. The Civil Surgeon-Cum-Chief Medical Officer, Secretary, District Health Society, West Champaran, Bettiah.

.... Respondents

=====

Appearance :

For the Petitioner : M/s. Rupak Kumar and
Dhaneshwar Prasad Gupta, Advocates
For the State : M/s. Manoj Kumar Ambastha, G.P.14 and
Sanjay Kumar Pandey, A.C. to G.P.14

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 07-04-2015

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

Petitioner seeks direction to the respondent no.2, i.e., the
District Magistrate-Cum-Chairman, District Health Society, West
Champaran, Bettiah for payment of the admitted dues of the petitioner
for the period commencing from March, 2013 to July, 2014.

It is submitted that the petitioner was given work order
for supply of electricity through silent generator for running A.C. and
Refrigerator etc. vide Annexure-1 dated 12.10.2012. The petitioner
installed the generator and supplied power and has been paid the due



amount till February, 2013, however, no payment has been made for the period commencing from March, 2013 to July, 2014 during which the un-interrupted power was supplied from his generator to the concerned centre and bill has already been submitted. Petitioner has also represented the Civil Surgeon-Cum-Chief Medical Officer dated 29.09.2014 contained in Annexure-2.

In the aforementioned facts and circumstances, this writ application is being disposed of with a direction to the District Magistrate to examine the matter and take a decision within a period of four weeks from the date of receipt/production of a copy of this order after calling for the necessary records from the office of the Civil Surgeon-Cum-Secretary of the District Health Society and take steps for immediate payment of admitted dues, if any, within a further period of four weeks.

It is made clear that if the District Magistrate comes to the conclusion that the amounts are not admitted then he should record a reasoned order which should be immediately communicated to the petitioner so that he can assail it before a competent forum.

It is further made clear that if the District Magistrate comes to the conclusion that dues are admitted then immediate steps should be taken for payment of the same within the period mentioned above failing which the amount would carry simple interest @ 10%

per annum to be calculated from the date it became due till its final payment.

(Dr. Ravi Ranjan, J)

N.H./-

U			
---	--	--	--