

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1853 of 2010

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M/S Sri Ram Traders through its Proprietor Shrawan Kumar Saraf S/O Late Mohan Lal R/O Mohalla- Behind Rani Sati Mandir, Sikandarpur, P.S. Muzaffarpur, Town and Distt.- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. State Election Commissioner Patna, Sone Bhawan, Birchand Patel Marg, Patna
3. District Magistrate Cum-District Election Officer Panchayat, Muzaffarpur
4. Director Panchayat Raj, Patna
5. District Officer Panchayat Raj, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Naijorwar, Advocate

For the Respondent Nos.1, 3 to 5 : Mr.R.K.Pandey, SC 29

Mr. Nagendra Sharma, AC to SC 29

For the Respondent No.2 : Mr.Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 12-02-2015

Heard the parties.

2. Though the present writ petition was filed as far back as on 01.02.2010 with a prayer to direct the respondents for payment of bills of the petitioner for supply of certain materials for conducting Gram Panchayat election in the district of Muzaffarpur, but till date counter affidavit has not been filed on behalf of the respondent nos. 1 and 3 to 5. Learned AC to SC 29, appearing on behalf of the aforesaid respondents submits that he has received oral instructions from the respondent no.5 that entire admitted dues of the petitioner shall be paid within a period of two weeks.

3. In above view of the matter, this Court is of the opinion that no useful purpose shall be served by keeping the present matter pending any longer. Accordingly, the petitioner is

directed to appear before the respondent no.5 with a comprehensive representation supported by all relevant documents within a period of ten days from today and raise all the pleas which have been raised in the present proceeding.

4. If the petitioner appears before the respondent no.5 within the aforesaid period of time, in the manner indicated above, with a certified copy of the present order, then the respondent no.5 either himself or any other competent authority of the respondent State shall be obliged to consider his claims and pay the entire admitted dues within a maximum period of two weeks from the date of his appearance. If for any reason, any part of the claims raised on behalf of the petitioner is not admitted by the aforesaid respondent, then the competent authority shall be obliged to pass a reasoned order for rejection of such claim of the petitioner within the aforesaid period of time itself.

5. It is clarified that non-compliance of the present order shall be viewed seriously and if the matter is brought to the notice of the court, then the concerned Officer shall be subjected to a proceeding of contempt of Court for breach of the undertaking given before this Court.

6. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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