

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.683 of 2015

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1. Kayanat Welfare Association through its Secretary, Nripendra Kumar having its registered office at Saraswati Lane, East Lohanipur, P.S. Kadamkuan, Disrict/Town-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Urban Development Department, Bihar, Patna
3. The Bihar Rajya Pool Nirman Nigam, through its Chairman Bihar Rajya Pool Nirman Nigam, Patna
4. Patna Municipal Corporation through its Commissioner, Patna Municipal Corporation Maurya Lok Complex, P.S. Kotwali, District/Town-Patna
5. The Chief Engineer, Patna Municipal Corporation Maurya Lok Complex, P.s. Kotwali, District/Town Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Ga2-Prasoon Sinha
Mr. Vikas Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 14-07-2015 Heard Mr. Kumar for the petitioner and Counsel for the Patna Municipal Corporation.

The application raises a grievance that a sum of Rs. one lac was deposited with the Patna Municipal Corporation (for short 'PMC') through bank draft in compliance of the letter bearing Memo No. 610 dated 30.06.2010 and letter no. 778 dated 30.08.2010 issued by the Chief Engineer, PMC, as the security deposit for awarding work for the maintenance of two Deluxe Toilets constructed by Bihar Rajya Pool Nirman Nigam and handed over to the PMC. Neither the work was allotted nor the security amount was refunded. The petitioner made diverse

representations but of no avail. The writ application has, therefore, been filed for a direction commanding the PMC to refund the amount of Rs. one lac with interest.

In spite of indulgence granted to the PMC, no counter affidavit has been filed.

Mr. Ranjeet Kumar Pandey, however, has submitted that the matter may be disposed of by permitting the petitioner to make detail representation in this regard and by directing the Municipal Commissioner to examine the representation of the petitioner and redress the grievance accordingly.

Mr. Sanjeev Kumar, Counsel for the petitioner has also agreed for disposal of the writ application in the terms suggested by Mr. Pandey.

Having heard the parties, the writ application is disposed of by the following order:-

Let the petitioner file a detail representation supported by all documents together with a copy of present order for refund of the security amount in the sum of Rs. one lac together with interest before the respondent no. 4 within three weeks. The Municipal Commissioner shall examine the same and take appropriate decision thereon as quickly as possible preferably within four weeks of such filing/presentation. Depending on the

order to be passed on his representation, the due of the petitioner shall be authorized/paid within two weeks therefrom.

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(Kishore Kumar Mandal, J)