

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4444 of 2015

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M/s Hindustan Tent House Chukhandi Road Sasaram, through its proprietor Md. Saffi. Son of Wasi Ahmad, resident of Madarsa Road Town, P.S.- Sasaram, District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary Welfare Department, Government of Bihar, Patna.
2. The Mission Director, Bihar Mahadalit Vikas Mission Bihar Patna.
3. The District Welfare Officer Rohtas at Sasaram.
4. The Principal Secretary, Welfare Department, Government of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Naseem Mukhtar, Advocate

For the Respondent/s : Mr. Kamlesh Kumar Sharma, A.C. to S.C.22

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 04-05-2015

As prayed, learned counsel for the petitioner is permitted to implead the Principal Secretary, Welfare Department, Government of Bihar, Patna as respondent no.4.

Heard learned counsel for the petitioner and the State.

Petitioner seeks direction for payment of admitted sum of Rs.93,903/- which is due for rendering service as per direction of the respondent no.3 by erecting tent etc. for holding Job Fair. It appears from Annexures 1, 3 and 3/a that the cost of stalls with sound system etc. was to be paid by the Companies who had participated in the job fair but in view of the fact that they did not pay the amount, it appears that the petitioner is not being paid his admitted amount.

In my view, such stand cannot be taken by the respondent authorities. The respondent no.3 had admittedly given

direction to the petitioner to erect fifteen stalls with sound system etc. for the purpose of holding Job Fair, therefore, the admitted amount would be required to be paid by it. The respondent authorities cannot take a stand that, as they have not been able to realize the same from Company which had participated in it, they are not able to pay the admitted dues. This is another example of the casual approach of the respondents in the matter.

In above view of the matter, this Court would deem it desirable to direct the Principal Secretary, Welfare Department, Government of Bihar, Patna to look into the matter and take steps for payment of admitted amount of the petitioner within a period of eight weeks from the date of receipt/production of a copy of this order. It is made clear that this order has been passed in view of the documents which have been appended by the petitioner suggesting that the amount is due, however, the Principal Secretary would be at liberty to examine it also as to what amount is actually required to be paid to the petitioner.

Accordingly, this writ application stands disposed of with the aforesaid observation and direction.

(Dr. Ravi Ranjan, J)

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