

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15744 of 2013

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Sri Krishna Kumar @ Krishna Kumar Son Of Late Raj Kishore Prasad
Resident Of Village - Chota Telpa, P.S. Town, District - Saran At Chapra

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Saran At Chapra
3. The Senior Deputy Collector, Establishment, Saran At Chapra
4. The District Election Officer, Saran At Chapra
5. The Circle Officer - Cum - Election Officer, Manjhi, Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Prasad Yadav

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-01-2015 Heard learned counsel for the parties. No one appears for the State.

The prayer of the petitioner in this writ application reads as follows:-

- "1(i) For issuance of an appropriate writ, order or direction in the nature of mandamus commanding the respondent authorities particularly respondent nos. 2 and 4 to make payment of admitted dues for an amount of Rs. 2,66,988/- along with statutory interest.*
- (ii) For further commanding the respondent authorities to comply and act upon the contents of Annexure-1 of the writ application."*

Learned counsel for the petitioner, in support of the aforementioned prayer, has straightway invited attention of this



Court towards a work order issued by the Electoral Officer, Manjhi Block in the district of Saran, whereby and whereunder, the petitioner was directed to provide services of generator, light, table, chair etc. for counting work in the election held in the year 2011. He has submitted that the petitioner had supplied the necessary articles as per the aforesaid work order and was also granted Rs. 70,000/- by way of advance as against his total bill of Rs. 4,36,988/- but that amount after deducting the advance of Rs. 70,000/- has not been paid to the petitioner as yet despite number of representations filed by the petitioner before the respondent no.5, the Circle Officer cum Election Commissioner, Manjhi, Saran.

This case which was filed on 13.8.2013 still remains without any counter affidavit on behalf of the respondents. As a matter of fact the learned counsels for the respondents are also not present. In such a situation, this Court, instead of keeping the writ application pending, would deem it expedient in the ends of justice to direct the District Magistrate, Saran at Chapra (Respondent No.2) to examine the grievance of the petitioner and if on enquiry by him it is found that the petitioner had supplied those materials under the order of the Circle Officer cum Election Officer, Manjhi Block, Saran, he will also ensure that the admissible and payable

amount is paid to the petitioner within a period of four months from the date of receipt of a copy of this order.

In order to expedite, this Court would give liberty to the petitioner to file a self-contained representation along with evidence, if any, for the work done by him and the period of four months shall commence only from the date of filing of the representation containing a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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