

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14499 of 2016

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Piyush Datta, son of Late Omiye Kumar Datta, Proprietor of Bengoli Sweets,
Anjanpeer Chowk, Hajipur, resident of Anjanpur Chowk, Town Hajipur P.S.
Hajipur town, P.O. - Hajipur, District Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Vaishali at Hajipur, Election Department, Patna.
2. The Election Commission of Bihar at Patna through the Chief Election Commissioner, Bihar at Patna.
3. The District Election Officer-cum-the District Magistrate, Vaishali at Hajipur, District Vaishali.
4. The Additional Collector (Department Enquiry) -cum- Senior Officer, Khan-Pan Cell, District Collector, Vaishali, Hajipur.
5. The Deputy Election Officer, Hajipur, District Vaishali.
6. The Nodal Officer, Khan-Pan Cell, Vaishali Collectariat-cum-District Supply Officer, Vaishali at Hajipur District Vaishali.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Ratna Deep Prasad, Advocate
For the E. C.I.	:	Mr. Siddhartha Prasad, Advocate
For the State	:	Mrs. Kumari Amrita, GP 3

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-11-2016

Heard learned counsel for the petitioner and learned Counsel
for the State.

2. The present writ petition has been filed for a direction to the respondents to make payment of the amount claimed by the petitioner to be due to him pursuant to the supply of food items said to have been made by the petitioner in connection with Bihar State Assembly Election, 2015 from 28.09.2015 to 08.11.2015.

3. It is submitted on behalf of the petitioner that despite being entitled to the amount as claimed by the petitioner, only partial payment has been made, leaving a considerable amount outstanding to be paid.

4. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the District Election Officer-cum-District Magistrate, Vaishali at Hajipur, District Vaishali (Respondent No. 3) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 9% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

5. Needless to say, this Court has not expressed any opinion on the merits of the claims of the petitioner.

(Vikash Jain, J)

B.T/Ibrar

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