

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11287 of 2013

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Kendriya Bhandar, A Welfare Set-up under the Aegis of Ministry of Personnel, Public Grievances and Pensions, having its Office at Flat No.-105, 1st Floor, 'Rameshwar Complex', Bhoothnath Road, Patna through its Divisional Incharge, Rahul Singh, S/o Sri Tejpal Singh, Resident of 4m/216, Tulsi Vatika, Bh Colony, Bhuthnath Road, Kankerbagh, P.S.-Agamkuan, District- Patna

.... Petitioner/s

Versus

1. The B.R.A., Bihar University, Muzaffarpur, Bihar through its Registrar
2. The Vice Chancellor, B.R.A., Bihar University, Muzaffarpur, Bihar
3. The Registrar, B.R.A., Bihar University, Muzaffarpur, Bihar
4. The Finance Controller, B.R.A., Bihar University, Muzaffarpur, Bihar

.... Respondent/s

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Appearance:

For the Petitioner/s	:	Mr. Vinod Kumar Kanth, Sr. Advocate Mr. Santosh Kumar, Advocate Mr. Sanjay Kumar, Advocate
For the University	:	Mr. Abhinav Shrivastava, Advocate
For the Chancellor	:	Mr. Rajendra Kumar Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

12 04-02-2016

The petitioner has come before this Court complaining of non-consideration of the bills submitted by them in respect of the supply of eight lakhs Optical Mark Reader (OMR for the sake of brevity) examination sheets by the authorities of the respondent B.R. Ambedkar Bihar University, Muzaffarpur.

In the nature of the order which this Court intends to pass on the consensus reached by the contesting parties, I would not be required to delve into the merits of the case or the rival



contentions raised. Suffice it to say that it is under an agreement of 06.9.2011, a copy of which is placed at Annexure-5 that a supply of eight lakhs 'OMR' examinations sheets was made by the petitioner to the University following which they have also raised their bills, copies of which are enclosed with the writ proceedings. The complaint is that they have not received any payment, hence the present proceedings.

I have heard Mr. Vinod Kumar Kanth, learned senior counsel for the petitioner, Mr. Rajendra Kumar Giri, learned counsel for the Chancellor and Mr. Abhinav Shrivastava, learned counsel for the University and its authorities.

Counsel for the petitioner has invited the attention of this Court towards an order of the Hon'ble Chancellor in directing the University to make payment of the admissible dues to the petitioner. The grievance is that despite the command, the claim remains pending seeing no light of the day.

Without contesting the claim on merits for the present, it has been fairly accepted by Mr. Shrivastava that the claim so put forth by the petitioner would be examined by the University and would be disposed of in obedience of the directives so issued by



the Chancellor and follow up steps would be taken. It is suggested by Mr. Shrivastava, learned counsel appearing for the University that considering the passage of time and to expedite the matter the petitioner would file a fresh representation before the Vice Chancellor enclosing the copy of the bills so submitted.

I find the suggestion acceptable and in view of the consensus so reached at by the contesting parties, the only order which this Court deems fit and proper to pass at the present stage is to direct the Vice-Chancellor of the University to either by himself or through the Controller, Finance or the Registrar of the University examine the claim of the petitioner and to dispose of the same in accordance with law with opportunity of hearing to the petitioner. Considering the passage of time I am of the opinion that the exercise be completed without delay and preferably within three months of receipt / production of a copy of the order.

Needless to add here that should the claim of the petitioner in its entirety be upheld, the payment should be made within four weeks of the disposal of the claim. However, in case the University is of the opinion that the claim or any part thereof is not sustainable for whatever reason, the same should be disposed of by a speaking order, also to be passed within the same

stipulated period. The petitioner would be at liberty to support his claim with reference to the documents as enclosed in this writ petition and in the backdrop of the issue so raised herein.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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