

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3136 of 2014

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Mahendra Kumar Son Of Laxman Prasad, Resident of Mohalla - Patel Nagar, Near Post Mortem House, P.S. Nawada, Distt. Nawada, the Proprietor of Ms. Home Light and Tent House Nawada

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna
2. The Chief Secretary, Government of Bihar, Patna
3. The District Magistrate, Nawada
4. The Sub Divisional Magistrate, Nawada
5. The District Panchayat Raj Officer, Nawada
6. The Incharge Officer, Panchayat Election 2011, Nawada

.... Respondents

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Appearance :

For the Petitioner : Mr. Himanshu Kumar Akela, Advocate

For the Respondents: Mr. S.K. Sharma, GA 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-01-2016

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 items supplied on rent on the eve of the Panchayat Election, 2011 in terms of the work order awarded to the petitioner.

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 of Rs. 28,32,596/-remaining to be paid as mentioned in the counter affidavit.

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 Magistrate, Nawada (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. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

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