

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4833 of 2014

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1. M/S Dakshita Fuels And Lubes Station at Barbatta, P.O.- Dhanpatganj (Sontha), P.S.- Kochadhaman, District- Kishanganj through its Proprietor Rakesh Kumar Basak, S/O Jaikishan Basak Resident Of Beni, Ward No. 9, P.S.- Bahadurganj, District- Kishanganj, Bihar

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Panchayati Raj, Government Of Bihar, Patna
2. The Principal Secretary, Department Of Panchayati Raj, Government Of Bihar, New Secretariat, Patna
3. The District Magistrate Cum District Election Officer (Panchayat), Kishanganj
4. The District Panchayati Raj Officer, Kishanganj
5. The District Transport Officer Cum Incharge Officer, Vehicle Cell, Kishanganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Krishna Tripathy, Advocate.
For the Respondent/s : Mr. V.Prasad, GP-18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-01-2016

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 supply of petrol and diesel for the Panchayat Elections, 2011 having been made by 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 of Rs. 3 lacs has been made, leaving a considerable amount of Rs. 2,60,461/- remaining to be paid, despite several representations before the various

authorities having already been filed which however are still pending.

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 cum District Election Officer (Panchayat), Kishanganj (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)

Md. Ibrarul/-

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