

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9564 of 2017

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M/s Aryabhat Computers, 304, Gorakh Nath & Lila Apartment, East Boring Canal Road, Patna- 800001, represented through its Secretary, Shri Nagendra Prasad Singh aged about 57 Years, Son of Late Aslok Singh, presently residing at Flat No. 201, Saket Apartment, Motessori Lane, Boring Road, Patna- 800001, District- Patna, Bihar,

.... Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Director Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Union of India represented through the Secretary, Ministry of Food & Public Distribution, Department of Food and Consumer Protection, Government of India, New Delhi, and.
4. The Secretary, Ministry of Food & Public Distribution, Department of Food and Consumer Protection, Government of India, New Delhi.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Ravish, Adv.
For the UOI	:	Mr. S.D. Sanjay, Addl. S.G.
For the State	:	Mr. Maruth Nath Roy, AC to SC-4 Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 16-08-2017

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

In this case, the petitioner is claiming an amount of Rs. 8,34,722/- as well as Rs. 21,42,023/-.

The petitioner was allotted the work of State Consumer Helpline vide letter no. S2-B1-35/2010/4911, accordingly, he, as per agreement, has carried out the work successfully for the period



30.8.2010 to 31.8.2015 i.e. for five years and, after the period was over, he handed over the charge on 27.1.2016 and, since then, other person is running the Helpline.

Learned counsel for the petitioner submits that the petitioner has not been paid even the admitted due amount and is running from pillar to post with empty hand. He has further submitted that the petitioner time to time has made representation to the competent authority but has gone in vain which compelled him to move before this Court for payment of the same. He has again submitted that the Central Government had allotted Rs. 8 lacs for payment to the petitioner but, the State Government has returned the same to the Central Government as unutilized fund.

Learned counsel for the State has submitted that the fund was returned prior to the application filed by the petitioner. It is no so that the same was returned after filing of the application by the petitioner.

Be that as it may, let the petitioner should file a detailed representation with supporting material along with a copy of this order making his grievance before the Principal Secretary, Food and Consumer Protection Department, Government of Bihar. If such a representation is filed by the petitioner, the Principal Secretary will be obliged to look into the matter and will pay the admitted dues to the



petitioner within a period of three months from the date of filing of the representation by the petitioner. In failure to make payment of admitted dues, the amount will carry 12% compound interest and if the Principal Secretary does not agree with the claim of the petitioner, he will be obliged to give an opportunity of hearing to the petitioner and will pass a reasoned order in accordance with law.

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

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.08.2017
Transmission Date	NA

