

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14435 of 2016

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Manav Vikas Ship Kala Kendra, through its Secretary Awadhesh Kumar Patel, S/o Late Wakil Singh, R/o Vill.- Saidсарay, P.S.- Garkha, Distt.- Saran.

.... Petitioner/s

Versus

1. The Union of India through its Secretary, Ministry of Labour and Employment, New Delhi.
2. The State of Bihar through its Secretary, Labour Resources Department, Bihar, Patna.
3. The District Magistrate, Saran at Chapra.
4. The Assistant Director, District Social Security Koshan Saran, Chapra.
5. The Block Development Officer, Garkha, Saran.
6. The Project Director, NSLP, Chapra, Saran.
7. The Mahila Extension Officer, Garkha, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the Respondent/s : Mr. Ajay Kumar Rastogi-AAG 10
Mr. S.D. Sanjay, ASG
Mr. Ravindra Kumar Sharma, CGC
Mr. R.K. Sharma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-04-2017 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is making a prayer for release of amount of Rs.13,16,580/-, as he is entitled to the aforesaid sum as having executed the work as per the work order.

A counter affidavit has been filed on behalf of Respondent nos. 3, 4 and 6 and in paragraph 18, it has been mentioned that the petitioner has not deposited certain important documents, which has been mentioned in paragraph 18, which is



as follows:-

Para-18 That, with regard to the statement made in paragraph no. 16 of the writ petition is partly correct and partly incorrect. It is submitted that on the direction of the Deputy Development Commissioner, Saran the petitioner was directed to submit some important documents like- Quarterly report, Annual report, Utilization certificate of the previous paid amount, Income-expenditure report, Photographs about the running position of the school & vouchers of the contingent charges vide letter no. 67 dated 03.11.2012 of the Labour Superintendent cum Project Director, NCLP, Saran. The petitioner has not submitted the above mentioned requisite documents as yet. So, his claim for the payment has not been settled. The petitioner has concealed this fact in his writ petition”

On perusal of paragraph 18 of the counter affidavit, it denotes that certain paper has not been submitted by the petitioner, but the counsel for the petitioner has submitted that he has already submitted all the documents, which has been mentioned in paragraph 18 of the counter affidavit.

Let the Project Director, N.S.L.P., Chapra, Saran (Respondent no. 6) examine the correctness of the submission of the document and if he arrived to conclusion that the document mentioned in paragraph 18 of the counter affidavit, has been



submitted by the petitioner, will be obliged to consider the case of the petitioner and release the admitted amount and other incidental amount which the petitioner is entitled to.

For the convenience, the petitioner would file a detailed representation before the Project Director, N.S.L.P., Chapra, Saran (Respondent no.6) annexing a copy of this order along with the receipt showing deposition of the documents mentioned in paragraph 18 of the counter affidavit and the authority will dispose of the matter within a period of three months from the date of receipt/production of a copy of this order.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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