

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16356 of 2016

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Jyoti Traders and Printers, Proprietor Sunil Kumar Saraf S/o Late Mohan Lal Saraf resident of Company Bag Sadar Hospital Road, Near S.S.P. Office, Muzaffarpur, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Election Commission, Bihar, Patna.
2. The District Election Officer-cum-District Magistrate, Muzaffarpur.
3. The Deputy Election Officer, Muzaffarpur.
4. The Deputy Collector Incharge, Office of the District Election Officer, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajiv Kumar, Advocate

For the Respondents : Mr. Pushkar Narain Shahi-AAG 6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-11-2017

Heard learned counsel for the petitioner and learned Counsel for the respondents.

2. The present writ petition has been taken up out of turn on the request of learned counsel for the petitioner for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioner.

3. Learned counsel for the petitioner submits that despite having made supply of materials for the Assembly Bye Election, 2009 (Annexure-1 series) an amount of Rs. 1,08,294/- remains outstanding for payment.

4. Learned counsel for the respondents appears and has



been heard.

5. This Court takes note however, that the claim for payment of outstanding dues relates to the year 2009 whereas the petitioner has approached this Court as late as in September, 2016 i.e. after a delay of about seven years. It is, therefore, clear that the petitioner has not acted with due diligence and there have been delay and laches on its part as it ought to have approached this Court within a reasonable time of its claim remaining unpaid. The petitioner merely appears to have filed repeated representations before the authorities which does not amount to proper explanation for the delay in approaching this Court.

6. This Court is therefore, not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Chandran/BT

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