

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12141 of 2015

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Munna Kumar S/o Shiv Bachan Prasad Proprietor of Mazdoor Press, Mohalla -
Kachahari Road, P.S. - Town, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Election Officer, Saran.
3. The District Deputy Election Officer, Saran.
4. The In-Charge Officer, District Goods Bill, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Prasad Yadav, Adv.

For the Respondent/s : Mr. AC to SC-17

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 16-02-2017

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

In the present writ application, the petitioner is claiming an
amount of Rs.7,72,947/- taking a ground that he has provided
infrastructure during Loksabha Election held in the year 2014 & 15.

Learned counsel for the petitioner claims that during
Liksabha Election, he was issued an work order to supply goods and,
accordingly, he has done the job assigned in the work order, he was
given Rs. 16,65,214/- by way of advance but his bill comes to Rs.
23,79,971 and, hence, he is entitled to Rs. 7,14,754/- which has not
been given to him.

Learned counsel for the State has pointed out that earlier



the petitioner had made demand of Rs. 2,48,089/- but he enhanced the amount without any ground to the tune of Rs. 7,14,754/-. Learned counsel for the State has also drawn attention of this Court towards the letter dated 7.5.2015 issued by the Deputy Election Officer, Saran, Chapra addressed to the present petitioner that the Three Member Committee was constituted, has assessed the amount to be paid to the petitioner and it was found that all the payments have been made to him and no further payment is to be given to the present petitioner.

In such circumstances, in a case of disputed question of fact, this Court cannot decide the issue with regard to the entitlement as mentioned herein above. The petitioner, if so advised, may take legal course as is available in law.

With the aforesaid observation, this with application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.02.2017
Transmission Date	

