

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16427 of 2010

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Gangeshwar Sharma S/o Late Ram Charan Singh R/o Village- Waina, P.S.- Ghoshi, in the District of Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary Government of Bihar, Patna
2. The Director General and Inspector General of Police, Bihar, Patna
3. The Secretary-cum-Commissioner Department of Transport, Government of Bihar, Patna
4. The Joint Commissioner Department of Transport, Government of Bihar, Patna
5. The Under Secretary Department of Transport, Government of Bihar, Patna

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar

For the State : Mr. Jitendra Kumar, A.C. to AAG-14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-06-2018 The petitioner, by way of the present writ petition has prayed for quashing of the order dated 26.4.2007 passed by the Commissioner & Secretary, Transport-cum-State Transport Commissioner, Bihar, Patna on the ground that the petitioner had filed the bills timely. Admittedly, even as per the petitioner, the bills as per Rule 285 of the Bihar Treasury Board, Volume-I had to be filed during the same financial year i.e. before 31st of March.

A bare perusal of the impugned order dated 26.4.2007 shows that the bills pertaining to the period January, 2002 to July, 2002 have only been filed within the stipulated period.



In such view of the matter, the respondent no. 3 is directed to consider the bills for the period January, 2002 to July, 2002 in accordance with law and take a final decision regarding payment thereof.

It is made clear that the bills prior to December, 2000 and up to December, 2001 having not been filed in time, shall not be entertained. The order of the respondent no. 3 dated 26.4.2007 is quashed to the extent that the bills from January, 2002 to July, 2002 have not been considered and rejected.

The aforesaid exercise of examining the bills which have been submitted before 31st March as aforesaid should be completed within a period of four weeks from today and a final reasoned and speaking order should be passed. In case any amount is found payable, the same shall be paid within a period of four weeks after the respondent no. 3 has taken a final decision in the matter.

(Mohit Kumar Shah, J)

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