

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5780 of 2016

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M/s Balaji Fuel Centre at N.H.- 31, Faringola, Kishanganj, P.S.- Kishanganj, District- Kishanganj through its proprietor Narsingh Purohit, S/o Late Santok Chand Purohit, resident of Paschimpali Chowk, Imligona, College Road, P.S. - Kishanganj, District- Kishanganj, Bihar

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, New Secretariat, Patna
3. The District Magistrate cum District Election Officer (Panchayat), Kishanganj
4. The District Panchayati Raj Officer, Kishanganj
5. The District Transport Officer cum Incharge Officer, Vehicle Cell, Kishanganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vinay Krishna Tripathy, Adv

For the Respondent/s : Mr. N.K. SINGH GP26

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-01-2018

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 petrol and diesel for the Panchayat Elections, 2011 pursuant to supply order by memo no. 20 dated 17.04.2011 (Annexure-1) an amount of Rs. 5,60,842/- remains outstanding for payment.

4. Learned counsel for the respondents appears and has



been heard.

5. Having regard to the nature of the grievances of the petitioner and with the consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the District Magistrate-cum-District Election Officer (Panchayat), Kishanganj (Respondent No. 3) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 6% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

Chandran/BT

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