

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1683 of 2019

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Md. Taufique Ahmad aged about 26 years, Sex-Male, son of Sabbir Ahmad, resident of Masood Bigha, P.S. Barh, District- Patna the proprietor of Sahani Tent House at and P.S. Barh, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development and Housing Department of Home, Govt. of Bihar, Patna.
2. The District Election Officer-cum- District Magistrate, Patna.
3. The Sub- Divisional Officer, Barh, District- Patna.
4. The Block Development Officer, Barh, District- Patna.
5. The Additional Election Officer, Barh, District- Patna.
6. The Executive Magistrate, Barh, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Adv.
For the Respondent/s : Mr.Kinkar Kumar (Sc9)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-02-2019 In the nature of the pleadings available in the writ application, learned counsel for the petitioner as well as the State are of the view that the writ application may be disposed of with a direction to the District Election Officer-cum- District Magistrate, Patna to look into the grievance of the petitioner in the light of the letter as contained in Memo No. 17 dated 21st February, 2018 written by the Sub- Divisional Officer, Barh to the District Election Officer-cum- District Magistrate, Patna available at Annexure '9' to the writ application. Learned counsel for the petitioner also draws the attention of this Court towards Annexures '10' and '10/A' to the writ application



which are some other letters written by the Sub- Divisional Officer, Barh to the same authority in which he had requested for allotment of funds so that payments may be made to the petitioner against the pending bills. Learned counsel submits that the petitioner has even represented to the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna but in absence of the allotment of funds he is being deprived of his otherwise lawful dues.

Learned counsel for the State submits that the matter may be sent to the District Election Officer-cum- District Magistrate, Patna for consideration and to do the needful.

In the aforesaid view of the matter this writ application is disposed of with a direction to the District Election Officer-cum- District Magistrate, Patna to look into the grievance of the petitioner, take note of letters of the Sub- Divisional Officer, Barh as contained in Annexures '9', '10' and '10/A' to the writ application and allot the necessary funds required for the purpose of payment of the admitted dues of the petitioner.

This Court would make it clear that so far as the amount claimed by the petitioner is concerned, this Court has not gone into the correctness of the claimed amount though it



appears from the letter of the Sub- Divisional Officer, Barh that no dispute in respect thereto has been raised. If it is the position, the District Election Officer-cum- District Magistrate, Patna shall ensure that the admitted dues of the petitioner whatsoever must be paid within a period of two months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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