

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3672 of 2016

Arising out of

Civil Writ Jurisdiction Case No.2710 of 2015

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Arun Kumar son of Late Ram Gopal Mahensaria Proprietor M/S Arunalay
Resident of E-107, Raj Kishori Complex, Mulchand Path, Chitragupta Nagar,
Kankarbagh, Patna .

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Arvind Kumar Chaudhary, The Secretary, (Gramin Vikash) Rural
Development, Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anjani Kumar, AAG 4 with

Mr. Amit Kumar Jha, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-07-2019

Heard learned counsel for the petitioner and Mr. Anjani
Kumar, learned AAG 4 for the State.

2. In terms of order dated 26.06.2019, show cause has
been filed on behalf of opposite party no. 2. From the same, it
transpires that the amount which has been recorded in the order
dated 26.06.2019, in the absence of any instructions with learned
counsel for the State as to whether the same had actually been paid
to the petitioner, the matter had been fixed for today.

3. From the materials brought on record today in the
show cause, it appears that the said amount of Rs. 14,11,403/-,
after deducting the tax component, has been paid to the petitioner,



through Demand Draft dated 06.04.2018. There is also an endorsement by the petitioner of having received such Draft.

4. Learned counsel for the State submitted that such payment was in terms of the order dated 28.03.2018 passed by the Rural Development Department which had quantified the amount admissible and payable to the petitioner. It was further submitted that the said amount includes 10 per cent interest, as was stipulated by the Writ Court in its order dated 18.02.2015 passed in CWJC No. 2710 of 2015. It was submitted that after the last order of the Court dated 26.06.2019, as the amount of interest was not fully calculated, the actual amount of Rs. 12,72,196/-, after deduction of TDS of Rs. 12,851/- has also been paid to the petitioner through Demand Draft dated 15.07.2019, which has also been received by him for which he has given receipt.

5. The position is not disputed by learned counsel for the petitioner.

6. In view thereof, the application stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

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