

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10647 of 2019

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Narendra Singh S/o Late Shyam Sundar Singh Resident of Jasidih, Pahar
Kothi, Ward No.8, P.S. Jasidih, P.O. Jasidih, Dist.-Deohtar, PIN-814142

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. Secretary, Transport Department, Govt. of Bihar, Patna
3. The District Magistrate, Nawada, Dist.-Nawada
4. The Officer in Charge Bihar State Electoral Vehicle Cell, Nawada, Dist.-Nawada
5. The Nodal Officer, Bihar State Electoral Vehicle Cell, Nawada, Dist.-Nawada
6. The District Transport Officer, Nawada, Dist.-Nawada
7. The Chief Election Officer, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Respondent/s	:	Mr. AC to PAAG 2
For ECI	:	Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-07-2019 Petitioner in the present case has moved this Court seeking a writ of Mandamus directing the respondents to make payment of hiring charges with interest to the petitioner.

It is the case of the petitioner that the vehicle of the petitioner was requisitioned during the Bihar Assembly Election, 2015. He has enclosed Annexure '1' issued by the Election Vehicle Cell, Nawada showing that his vehicle bearing registration no. JH15G-9898 was requisitioned on 18.09.2015 and the same was released on 13.10.2015. Annexure '1' contains the name and mobile number of the petitioner. His



grievance is that the charges for 26 days of the use of the vehicle have not been paid to him so far. In this regard he claims that he had requested respondent no. 3 on several occasions but no positive action was taken. He had also submitted representation dated 05.04.2017 to the District Magistrate which is Annexure '3' to the writ application. In support of Annexure '3', the petitioner has enclosed the proof of dispatch of the same by speed post vide Annexure '3/1'.

Learned counsel for the State as well as the Chief Electoral Officer are present.

In the facts and circumstances of the case, without going into the merit of the contentions, at this stage, this Court directs the District Magistrate, Nawada (respondent no. 3) to look into the grievance of the petitioner as contained in Annexure- '3' to the writ application and take an appropriate view thereon within a period of sixty days from the date of receipt/production of a copy of this order.

In case any amount is admittedly payable to the petitioner, the same should be paid together with interest at the rate of 6 % per annum from the date the amount became due till the date of payment. In case the claim of the petitioner or any part thereof is not payable, specific reasons therefor must be



provided to the petitioner within the same period.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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