

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2641 of 2019

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M/s Sri Mourya Foundation having its registered Office at Village and post Chailaha, Ward No.11, P.S.-Banjariya, Dist.-Motihari, East Champaran through its Director-Rajan Prasad Age about 31 years (M) son of umesh Prasad, Resident of Village-Pipra, Post Akshabar Pipra, P.S. Sidhwaliya, Dist.-Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development and Town Planning Department, Govt. of Bihar, Patna
2. The Principal Secretary, Urban Development and Town Planning Department, Govt. of Bihar, Patna
3. The Principal Secretary, Department of Law and Justice Department, Govt. of Bihar, Patna
4. Narkatiyaganj Municipal Corporation through its Chief Executive Officer cum Municipal Commissioner, Narkatiyaganj, West Champaran
5. Mukhya Prasad, Nagar Parishad, Narkatiyaganj, West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Samir Kumar, Adv.
For the State	:	Mr. Kinkar Kumar (SC9)
		Mr. Yogesh Kumar, AC to SC-9
For Nagar Parishad	:	Mr. Himanshu Kumar Akela, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-05-2019 The parties agree at the bar that in the nature of the order proposed to be passed, the writ application may be disposed off at this stage.

The petitioner, in the present case, is seeking a direction in the nature of writ of mandamus to the respondents to make payment of his outstanding bills of Rs.40,50,563/- for the period 01.07.2018 to 15.11.2018 and Rs.36,33,200/- for the period 15.01.2018 to 15.05.2018.



Learned counsel for the petitioner has drawn the attention of this Court towards the letter dated 24.11.2018 as contained in Annexure-7 series to show that the petitioner has already submitted the bills for the work done but the same is not being paid which has created a situation of financial constraints for the petitioner.

Learned counsel representing the Nagar Parishad, Narkatiyaganj as also learned counsel for the State are present. It is submitted that in the nature of the grievance of the petitioner, the Executive Officer, Narkatiyaganj may be directed to examine the bills of the petitioner and in case the petitioner is found entitled for some admitted amount, the same may be considered and paid.

Having heard learned counsel for the parties, this Court directs the Executive Officer, Nagar Parishad, Narkatiyaganj to look into the grievance of the petitioner, consider the same, examine the claim of the petitioner and in case it is found that the petitioner has rendered the work for which he is entitled for some payments, the admitted claim of the petitioner must be paid within a period of two months from the date of receipt/production of a copy of this order. In case any of the claims of the petitioner is not found admissible, a decision



thereon shall be taken giving reasons for rejection of the claim of the petitioner which the petitioner may be entitled to challenge before an appropriate court/forum. The entire exercise must be completed within a period of 60 days from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

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