

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.269 of 2020

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Ashok Kumar Son of Mahendra Prasad Yadav, Resident of Village- Sitakund
Dih,P.O. Dariyapur, P.S. Munge Muffasil, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The District Magistrate, Munger, District- Munger.
4. Munger Municipal Corporation, Munger, through the Municipal Commissioner.
5. The Municipal Commissioner, Munger Municipal Corporation, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Respondent/s : Mr.Subash Prasad Singh (Ga3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2020 Heard the learned counsel for the petitioner and the

learned counsel for the respondents.

The present writ petition has been filed seeking the

following reliefs :-

“(I) For issuance of an appropriate writ in the
nature of **MANDAMUS**, commanding and
directing the Respondent Authorities for
payment of admitted dues of the petitioner of
contractual work done by the petitioner with
respect to Agreement No. 12/16-17 for
renovation and re-modification of electricity in
Nagar Nigam Building Munger (Part-A) Staff
Building + (Part-B) Main Building total



amounting Rs.2,95,903/-.

(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities for payment of aforesaid amount to the petitioner with interest since the petitioner had done the aforesaid work after taking money from the market on interest.”

The learned counsel for the petitioner submits that the respondent Munger, Municipal Corporation, Munger be directed to pay admitted outstanding amount for the contractual work done by the petitioner pertaining to the Agreement in question, forthwith. It is further submitted that it is not in dispute that the aforesaid sums of money are outstanding for payment to the petitioner.

The learned counsel for the respondent Munger, Municipal Corporation, Munger submits that appropriate orders would be passed in accordance with law within the time frame stipulated by this Court and if any admitted outstanding dues is found payable, the same shall be paid to the petitioner forthwith.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to approach the Municipal Commissioner, Munger Municipal Corporation, Munger i.e. respondent No. 5 by filing appropriate



representation within a period of four weeks from today, whereafter, the respondent No. 5 shall consider the said representation of the petitioner and pass appropriate orders in accordance with law within a period of four weeks thereafter and in case any admitted outstanding dues is found payable, the same shall be paid within a further period of six weeks thereof. It is needless to state that in case of non-adherence of the time frame as aforesaid, the principle outstanding dues, found payable, would carry interest @ 9% per annum with effect from the date the amount had become due.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/karan-

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