

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25832 of 2019

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Ashok Kumar, Son of Mahendra Prasad Yadav, Resident of Village-Sitakund
Dih, P.O.-Dariyapur, P.S. Munger 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.Yogendra Prasad Sinha (Aag7)

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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 to make
payment of the amount of security money,
earnest money as well National Saving
Certificate (N.S.C.) with respect to Agreement
No. 01 2012-13 dated 12.11.2012 for the
contractual work of vitrified tiles flooring, the
estimated value of the agreement is Rs.



9,75,000-.

(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities to make the aforesaid payment with interest.”

The learned counsel for the petitioner submits that the respondent Munger, Municipal Corporation, Munger be directed to pay admitted outstanding amount in the form of security money, earnest money as well as National Savings Certificate with respect 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 to be 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 amount of 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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