

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5348 of 2021

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Vikash Kumar Sinha, S/o Hari Mehta, resident of Village-Gauspur Ijra, P.S.
and District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The District Election Officer cum District Collector Vaishali, Distt.-Vaishali.
3. The Executive Engineer, Vaishali Building Division, Hajipur, Distt.-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vivek Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-12-2021

Petitioner has prayed for the following relief(s):

“For issuance preferably in the nature of MANDAMUS commanding and directing to the respondent concern to make admitted payment of Rs. 178551/- to the petitioner, that he has carried out the work during the General Elections of 2019 in the Vaishali Building Division, Hajipur but, the payment has not been made though the respondents And/or any other relief/reliefs, order/ orders for which the petitioner is found entitled in the facts and circumstances of the case.”



After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if the petition is disposed of with a direction to the appropriate authority to consider and decide the representation to be filed by the petitioner within a period of four week, within a period of three months from the date of its presentation.

Learned counsel for the State states that if such a representation is filed by the petitioner within the time stipulated, the same shall be considered and decided within a period of three months from the date of its presentation.

Statement accepted and taken on record.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available



in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.12.2021
Transmission Date	

