

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1015 of 2021

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Vikas Rao Son of Amarnath Mahto Resident of Village-Mahua Singhrail, P.O.
and P.S.-Mahua, Distrit Vaishali.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. The Collector, Vaishali at Hajipur.
3. The Chairman, Zila Parishad, Vaishali at Hajipur.
4. The Chief Executive Officer-Cum-D.V.C., Zila Parishad, Vaishali at Hajipur.
5. The Additional Executive Officer, Zila Parishad, Vaishali at Hajipur.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur
For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 25-11-2021 The petitioner is seeking quashing of Letter No. 1522 dated 10.08.2020 issued by the Additional Chief Executive Officer, Zila Parishad, Vaishali at Hazipur, whereby the petitioner was asked to deposit the remaining settlement amount for settlement of Mahua Gudari under Zila Parishad, Vaishali.

On perusal of the impugned letter, it appears that the settlement was made in favour of the petitioner, he being the highest bidder, having quoted Rs. 8,11,500/- for settlement. The petitioner did not deposit the entire amount rather he deposited



part of the same to the tune of Rs. 4,50,000/-. Since the petitioner did not deposit the rest of the amount, by said communication dated 10.08.2020, he had been asked to deposit the same within 24 hours else the settlement would be cancelled and steps would be taken for fresh settlement.

Learned counsel appearing on behalf of the petitioner, has submitted that because of Covid-19 pandemic, the petitioner could not deposit the entire amount which was quoted by him.

In our opinion, this application lacks *bona fide*. The settlement was made in favour of the petitioner, he being the highest bidder having quoted Rs. 8,11,500/- which was required to be deposited at once. He having not deposited the amount, as quoted by him, in our opinion, the impugned communication can be said to be unjust, requiring this Court's interference.

This application is, thus, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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