

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3818 of 2021

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CHINTA MANI PANDEY son of Bishwanath Pandey Resident of Village-
Chanayan Bandh, Tola- Patkhauli, Police Station- Majhauliya, District- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner State G.S.T. Patna
2. The Assistant Commissioner, State G.S.T., Bettiah, West Champaran
3. The Chief Engineer, Flood Control and Drainage, Water Resource
Department, Muzaffarpur
4. The Superintending Engineer, Flood Control and Drainage Circle, Motihari,
East Champaran
5. The Executive Engineer, Drainage Division, Bettiah, West Champaran
6. The Assistant Engineer, Drainage Sub Division, Bettiah, West Champaran
7. The Junior Engineer, Drainage, Sub Division, Bettiah, West Champaran

... .. Respondent/s

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**(The proceedings of the Court are being conducted by Hon'ble the Chief
Justice /Hon'ble Judges through Video Conferencing from their
residential offices/residences. Also, the Advocates and the Staffs joined
the proceedings through Video Conferencing from their residences
/offices.)**

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv
For the Respondent/s : Mr. Vivek Prasad GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 08-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):

“1(i) For quashing the notice dated 03.03.2020
issued by Respondent no.2 whereby petitioner has been
directed to deposit Rs. 3,91,648/- (Three lacs Ninty
One Thousand Six Hundred and Forty Eight).

(ii) To direct the Respondent No.3 to 07 to include G.S.T. in the estimate of agreements executed between petitioner and Respondents and pay the same to the petitioner.

(iii) To stay the proceeding pending before the Respondent No. 2 till the disposal of the present writ application.

(iv) For any other relief/reliefs for which the petitioner is found entitled in the facts and circumstances of this case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **respondent no. 5 Executive Engineer, Drainage Division, Bettiah, West Champaran**, to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and

subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/sujit/pkp/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA