

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.834 of 2019
In
Civil Writ Jurisdiction Case No.2904 of 2019

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M/s Ashok Electricals @ Ashok Kumar Nirmali, District Supaul through its
Sole Proprietor Ashok Kumar, aged about 45 years (M), Son of Sri Subansh
Narayan Sah, resident of Village- Nirmali, P.S.- Nirmali, District- Supaul.

... .. Appellant/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The District Magistrate-cum-District Electoral Officer, Supaul.
3. The Senior Electoral Officer-cum-Additional Collector, Supaul.
4. The Deputy Electoral Officer, Supaul.
5. The Sub-Divisional Officer, Nirmali, Supaul.
6. The Block Development Officer, Raghapur, Supaul.
7. The Block Development Officer, Saraigarh, Supaul.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-08-2021

The instant Letters Patent Appeal has been preferred
against the order dated 20th of June, 2019, passed by a learned
Single Judge of this Court in **CWJC No. 2904 of 2019**, titled as
**M/s Ashok Electricals @ Ashok Kumar Nirmali Vs. The
State of Bihar & Ors.**

Shri Sanjeev Kumar Singh, learned counsel for the
appellant states that the cheque towards the refund of the



security amount, issued by the respondent-State, was presented for encashment, but was returned back uncleared for the reason which he is unaware of, and is awaiting the instructions from his client.

Shri Gyan Prakash Ojha, learned Government Advocate No. 7 states that if that were so, a fresh cheque would be issued in favour of the appellant, within next two days, which the appellant-petitioner can collect from his office. Also it would be cleared on presentation.

Statement accepted and taken on record.

As mutually agreed, the issue subject matter of the present *lis*, more or less, save and except for the liberty sought for, stands settled.

We direct the appellant to have the cheque collected from the office of Shri Gyan Prakash Ojha, learned Government Advocate No. 7 on or before 1st of September, 2021, which we are sure, would be cleared on presentation.

In so far as claims other than the security amount are concerned, liberty as prayed for to pursue the matter, in accordance with law, is granted. The Issue of limitation shall not come in the way for the period for which the appellant has been pursuing the matter before this Court.



The Letters Patent Appeal stands disposed of in the above terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	31.08.2021
Transmission Date	

