

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5496 of 2022

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Pramod Pathak @ Pramod Kumar Pathak S/o Ramanand Pathak R/o - Ward
No. 12, Khadi Bhandar ki Gali P.S. - Bhabua, District- Kaimur At Bhaua.

... .. Petitioner/s

Versus

1. Bhabua Municipality through its Executive Officer, Kaimur at Bhabua.
2. The Executive Officer, Bhabua Municipality, Kaimur at Bhabua.
3. The Members of Standing Committee Bhabua Municipality, Muni Kaimur at Bhabua.
4. The District Magistrate Kaimur at Bhabua.
5. The State of Bihar Through the Principal Secretary Urban Development Department, Bihar at Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Advocate
For the Respondent/s	:	Mr.Kinkar Kumar, SC-9
		Mr.Vinod Kumar Seth, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-05-2022

Petitioner has prayed for the following relief(s):-

- “(a) To direct the respondent no.2 The Executive officer to make payment of due amount of Rs.4,89,000/- + Rs. 5,74,000/- = Total Rs. 10,63,000/- only which is due since April 2020 to the petitioner.
- (b) To direct the respondent no.2 to pay the penal interest @ 18% per annum April 2020 to till payment upon the due amount to him.
- (c). Any other relief’s for which the petitioner entitled in the law.”



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 to consider and decide the representation which the petitioner shall be filing 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. He further states that the admitted dues of the petitioner shall be paid by the authority concerned within the aforesaid period.

Statement accepted and taken on record.

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

(a) Petitioner shall approach the authority concerned 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 arises subsequently on the same and subsequent cause of action;

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

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

The petition stands disposed of in the aforesaid terms.



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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Rishi/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

