

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12882 of 2021

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Alakhdeo Prasad Son of Late Jangleshwar Prasad Resident of Village
Dhakhwaha Chak, Post Office Parsawan, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Railway, Rail Bhavan, New Delhi.
2. The General Manager, East Central Railway, Hajipur.
3. The Chief Engineer, East Central Railway, Hajipur.
4. The Divisional Finance Manager, Hajipur.
5. The Senior Divisional Engineer, East Central Railway, Moghalsarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr.Dr. Krishna Nandan Singh (ASG)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 07-01-2022

Heard learned counsel for the parties.

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

“1. That this application is being filed for issuance of writ/writs, order/orders, direction/directions to the respondents to pay the admitted dues for completed work done by the petitioner and further direct the Respondent No.2 to consider the representation given by the petitioner and pay all the admitted dues with interest to the petitioner and further for any other relief/reliefs as the petitioner is found entitled to in the facts and circumstances of the case for the ends of justice.”

3. 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, the Senior Divisional Engineer, East Central Railway, Moghalsarai) 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).

4. 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 four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

6. 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 four 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) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

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

(f) 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;

(g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

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

(i) 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;

7. The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	