

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12991 of 2021

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M/s R.K. Offset Press Company Saray, G.T. Road (Kachahari Road), Sasaram, Rohtas, through its Proprietor Rohit Kumar Raj, Male, 30 years, s/o Raju Kumar Agrawal, Resident of Sonar Toli, Town and P.S.-Sasaram, Dist.-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The District Magistrate-cum-District Election Officer, Sasaram.
3. The Superintendent of Police, Sasaram.
4. The Deputy Election Officer, Sasaram, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Agrawal, Advocate
For the Respondent/s : Mr.Prashant Pratap, GP-2

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(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.)

2 12-01-2022 Petitioner has prayed for the following relief(s):

- “a. For issuance of a writ in the nature of Mandamus directing the respondent No. 2 to release the balance of the amount of Rs. 39,600,60/- being the dues outstanding against the goods supplied by the petitioner along with interest thereon from the date of amount due;
- b. For issuance of a writ in the nature of Mandamus directing the respondent



authorities to pay the petitioner the amount of money retained by them with interest in spite of the fact that there is no dispute between the parties.

- c. For issuance of such other writ(s), order(s), direction(s) as Your Lordships may deem fit and proper.”

After the matter was heard for some time, learned counsel for the petitioner, under instruction, states that the petitioner shall be content if a direction is issued to Respondent No. 4, namely The Deputy Election Officer, Sasaram, Rohtas to consider and decide the representation to be filed by the petitioner along with a copy of this order within a period of four weeks, within a period of three months from the date of its presentation.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take



recourse to such alternative remedies as are otherwise available
in accordance with law.

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.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

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