

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14462 of 2021

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Rajesh Kumar, Son of Anil Kumar Singh, Resident of Nagar Parishad, Ward No.-16, Sadanandpur, District- Begusarai, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land, Government of Bihar.
2. The Secretary, Revenue and Land Reforms, Government of Bihar.
3. The Additional Secretary, Revenue and Land Reforms, Government of Bihar.
4. The District Magistrate, Begusarai, Government of Bihar.
5. The Additional District Magistrate, Begusarai, Government of Bihar.
6. The SDO, Begusarai, Government of Bihar.
7. The Block Officer, Barauni, Begusarai, Government of Bihar.
8. The District Account Officer, Begusarai, Government of Bihar.
9. The Electrical Executive Engineer, Electricity Supply Division, Begusarai, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rohit Kumar, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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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 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.)

Date : 08-02-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

- (a) For the issuance of appropriate writ, order/direction commanding the Respondent

authorities to give allotment of Rupees 13,36,800 + 42,61,000 total of 5597800/- to the concern authority, which is due of petitioner on the respondent authorities against the work done by petitioner, in the “Simariakalpwas Mela-2016 and SimariaKalpwas Mela/Kumabh Mela 2017 through his company M/S Vishwakarma Electricals Construction and Co. which was admitted by respondent authorities and make payment.

(b) For the order/orders, direction/directions, relief/reliefs as your Lordship deem fit and proper in the facts and circumstances of this case.”

Learned counsel for the State opposes the petition stating that the petition is misconceived; raises disputed question of fact; is not in public interest; and that the issue can be best resolved at the local level by the appropriate authorities.

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, 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. 6, the SDO, Begusarai, Government of Bihar)** 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 four 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 four months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

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

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

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

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

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

(j) 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)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	