

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13778 of 2022

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Ram Shovit Yadav S/o Nirsu Yadav, R/o Village- Baghha, P.O.- Jalwara, P.S. Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Rural Works Department, Patna, Bihar.
2. The Additional Chief Executive Officer-cum- Secretary, Bihar Rural Roads Development Agency, Patna, Bihar.
3. The Executive Engineer, Rural Works Department, Works Division- Benipatti, Madhubani, Bihar.
4. The Executive Engineer, Rural Works Department, Works Division- Madhubani, Bihar.
5. The Executive Engineer, Rural Works Department, Works Division- Darbhanga, Bihar.
6. The Divisional Accounts Officer, Rural Works Department, Works Division- Benipatti, Madhubani, Bihar.
7. The Divisional Accounts Officer, Rural Works Department, Works Division- Madhubani, Bihar.
8. The Divisional Accounts Officer, Rural Works Department, Works Division- Darbhanga, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate
For the Respondent/s : Mr.Kameshwar Pd. Gupta (G.P.10)

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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 : 16-09-2022

Heard learned counsel for the parties.

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

1. That this is an application for issuance of appropriate writ or writs, direction or directions for payment of the Goods and Service Tax (GST) claims to the petitioner according to the Law for his Work Contracts vide Agreement Nos. 04/SBD/2017-18 dated 06/11/2017, 25/SBD/2018-19 dated 24/07/2018, 34/SBD/2018-19 dated 28/01/2019 and 16/SBD/19-20 dated 20/07/2019 that has been restrained by the respondent authorities respectively and/or issuance of appropriate writ or writs under the facts and circumstances of the case.

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. 2, The Additional Chief Executive Officer-cum- Secretary, Bihar Rural Roads Development Agency, Patna, Bihar** or any of the statutory authority 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) 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, 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)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	