

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21065 of 2021

Vijaya Interprises, Proprietor Vijay Kumar aged about 47 years, Son of Mathura Mahto, office at Gurki Mandi, Gay Ghat, P.S. Alamganj, P.O. Ghuljarbagh, Patna - 800007.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The District Election Officer, Vaishali.
3. The Nodel Officer, District Election EVM Kosamng, Vaishali, Vaishali Hazipur.
4. The Deputy Election Officer, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Dayal, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(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.)

Date : 14-02-2022

Heard learned counsel for the parties.

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



(a) For issuance of an appropriate writ in the nature of Mandamus for commanding and directing the respondent authorities to pay the total admitted dues of Rs Rs 82,39,323=00 (Rupees Eighty two lacks thirty nine thousand three hundred and twenty three only) with 15% interest to the petitioner for arrange **Breakfast,Lunch,Dinner ,tea and Drinking water etc** for employee engaged in BiharVidan Sabha General Election 2020 in District of Hazipur Vashali.

(b) For issuance of a appropriate writ directing the Respondent authorities if any return the security deposit paid by the petitioner and for any other relief(s) for which the petitioner may be found entitled to in the facts and circumstances of the present case.

We find the present petition to be not maintainable in its present form.

The present petition is for recovery of certain amount due to the petitioner in lieu of supply of certain items on the asking of Respondent No. 3 namely the Nodal Officer, District Election EVM Kosamng, Vaishali, Hazipur.

We do not find any reason sufficient enough to interfere in the present petition, for us, it appears to be a simple petition for recovery of the amount. The dues, whether admitted or not, is not evident from record; items supplied were as per the specifications and to the satisfaction is also not on record; the petitioner's request is pending consideration with the



authorities.

Well, we are not inclined to issue any directions, save and except grant liberty to the petitioner to take recourse to such remedies which are equally efficacious, including filing a Civil Suit for recovery of the amount claimed in the present petition.

The present petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	17.02.2022
Transmission Date	

