

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20249 of 2019

1. M/s Srijani Enterprises, Near Hathikhana, Bettiah - 845438, West Champaran through its proprietor Amresh Kumar Tiwari aged 43 year Male.
2. Amresh Kumar Tiwari, son of Sri Anand Kumar Tiwari, resident of village-Bankat Noniya, East Champaran, Bihar - 845422.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary,
2. Principal Secretary, Rural Development, Government of Bihar.
3. Commissioner, MNREGA Scheme, Government of Bihar.
4. Collector, East Champaran, Motihari.
5. District Programme Co-ordinator, MNREGA Scheme, East Champaran, Motihari.
6. Programme Officer, MNREGA Scheme, Block Paharpur, East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Anju Kumari @ Anju Narain, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-07-2022

Heard learned counsel for the parties.

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

- (i) Issuance of an appropriate writ including a writ in the nature of writ of mandamus commanding the respondents to make quick payment of the petitioner's outstanding payments of Rs. 30,42,070 (Thirty lac fortytwo thousand and seventy only) for financial year 2018-19 and Rs. 3,54,308/- (Three lac fifty four thousand three hundred and eight only) for financial year 2019-20 for supplies having been made on credit for implementation of MNREGA scheme works in the Inarwabhar Gram Panchayat of Paharpur Block in the District of East Champaran.
- (ii) Issuance of an appropriate writ including a writ in the nature of writ of mandamus commanding the respondents to explain as to why after crossing the FTOs first signatory stage in respect of

the petitioner's bills the stage of the FTOs second signatory i.e. payment and credit of the outstanding amount of the petitioner had been deliberately delayed for months and year as obvious from FTOs first signatory details (Annexure - 1) whereas in an illegal and arbitrary manner and on pick and choose basis some of the items of FTOs first signatory stage (Annexure - 1) have been cleared through the FTOs second signatory stage (Annexure - 2) and payments have been made and amounts credited in respect of others whose bills are of much later period.

- (iii) Issuance of any other appropriate writ(s), order(s), direction(s) as may be deemed fit and proper in the facts and circumstances of the case.

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner will be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate

forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

It stands clarified that all issues of fact and law are left open to be agitated before the competent authority.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	