

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7509 of 2015

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Matin Khan Son of Late Haidayatullah Khan Resident of Mohalla - Pathar Ki Masjid, Dargah Road, P.S. Sultanganj, District – Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Patna
3. The L.R.D.C., Patna Sadar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Mushtaque Alam, Adv.
For the Respondent/s : Mr. Nasim Yahya, GP-13.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

4 09-08-2023 Heard learned counsels for the parties.

The present writ petition has been filed for the
following reliefs:-

- (i) For issuance of a writ of or in the nature of writ of mandamus directing the District Magistrate and L.R.D.C, Patna to clear the bill of Rs. 72,000/- of the petitioner, who had complied the delivery order issued by the learned D.M. and L.R.D.C., Patna Sadar for delivery of so many items in Bihar Assembly Election, 2010 dated 28.10.2010 as well as the petitioner is also entitled for the amount of interest @ 13% on the whole admitted amount as per bill.
- (ii) For issuance of writ of or in the nature of writ of mandamus directing the Respondents concerned to give Payment to the petitioner of Rs. 72,000/- + amount of interest on the whole amount which is due since 2010. The petitioner had taken delivery order from the learned L.R.D.C., Patna. The learned D.M. had assured the petitioner that as soon as allotment will come from the Government he will give the entire due amount to the petitioner.



In the counter affidavit filed by the respondent nos. 2 & 3, it is specifically stated in paragraph 8 that the petitioner was informed vide Memo No. 1540 dated 25.10.2015 and Memo No. 1567 dated 20.11.2015 to collect the cheque bearing no. 943601 dated 28.08.2015 issued by the S.B.I., J.C. Road Branch, Patna but the petitioner did not appear to collect the cheque within the stipulated time. Further it is stated that as and when the petitioner approaches the authorities, the authorities are ready to hand over the cheques.

Having regard to the fact that the cheques which were prepared by the authorities must have lapsed by now, the ends of justice would be met if the petitioner is directed to approach the authorities concerned with a representation within two weeks from today and on receipt of the said representation, the authorities concerned are directed to issue fresh cheques within a period of two weeks thereof.

With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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