

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6910 of 2023

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Bhagwan Jha Son Sri Mahesh Nath Jha Resident of Mohalla- Kabraghat,
Darbhanga, P.S. L.N.M.U., District- Darbhanga ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Bihar State Food and Civil Supplies Department, Government of Bihar, Patna.
 2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Government of Bihar, Patna.
 3. The Deputy Managing Director, Bihar State Food and Civil Supplies Corporation, Government of Bihar, Patna.
 4. The District Magistrate, Madhubani.
 5. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Madhubani. ... Respondents
- =====

Appearance :

For the Petitioner : Mr.Kripa Nand Jha, Adv.
For the Respondents : Mr.Arvind Ujjwal, SC IV

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

7 12-12-2023 Heard the learned counsel for the parties.

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

(i) For issuance of an appropriate direction, order or writ in the nature of mandamus commanding the respondents to pay the rest due amount Rs.960972/- with interest to the petitioner for the work done by him as transportation and handling agent of the Bihar State Food Corporation, Madhubani, under door step delivery system, which is not being paid to him on the plea of paucity of funds.

(ii) For holding and declaring that he admissible amount of the petitioner cannot be withheld on the plea of paucity of funds, once the petitioner completed the task allocated to him and therefore the petitioner is entitled to get the interest over the entire due amount from the date it is due till the date of its actual payment.



(iii) For any other relief/ reliefs to which the petitioner may be found entitled to, in the facts and circumstances of the case.

3. Learned counsel for the petitioner has stated that the petitioner has submitted that the bills were submitted way-back in the year 2021, but, till date the amount has not been paid, therefore, seeks a direction from this Court to respondents to pay the admitted dues to the petitioner.

4. In the counter affidavit filed by the respondents in paragraph 9 it is specifically stated that the authorities after verification have paid an amount of Rs.5,91,922/- out of the total amount of Rs.9,60,972/- claimed by the petitioner. The counter affidavit further states that the petitioner has not submitted the RT Note (Record of Work Challan) against the balance amount which was not paid, therefore, the same could not be paid. Learned counsel for the petitioner states that the authorities ought to have issued notice to the petitioner, in case they had any query or any documents were required, but, they had not put the petitioner on notice. Learned counsel has stated that the petitioner will submit a representation along with the RT Note (Record of Work Challan) in support of his claim and direction may be given to the authorities concerned, more specifically Respondent No. 2, to consider the said



representation with the annexed documents and pay the balance amount due to the petitioner.

5. Having regard to the above made submissions, the petitioner is directed to make a representation along with the supportive documents to substantiate his claim for the payment of the balance amount to the Respondent No. 2 within a period of three weeks from the date of receipt of a copy of this order. On such receipt of the representation, the Respondent No. 2 shall consider the claim and make the necessary payments strictly in accordance with law as expeditiously as possibly preferably within a period of six weeks from the date of receipt of the representation of the petitioner.

6. With the above directions, this writ petition stands **disposed off**.

(A. Abhishek Reddy , J)

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