

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7792 of 2023

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M/s B.K. Enterprises, Khalpura Bala, Khalpura, Chapra (Saran) through its Proprietor Sabita Kumari (Female), aged about 44 Years, W/o Bipin Kumar Singh, Resident of Vill-Nauwadih, Khalpura Bala, Gultenganj, Distt-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary General Administration Department, Bihar, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Commissioner, Saran Division, Saran at Chapra.
4. The District Magistrate, Saran at Chapra.
5. The Election Officer-cum-Block Development officer, Block-Nagra, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Prasad Yadav No.1, Advocate.

For the Respondent/s : Mr. M. Nasrul Huda Khan, SC-1.

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

2 18-09-2023 Heard the parties.

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

“For issuance of appropriate writ(s)/order/direction(s) commanding upon the Respondents to immediately release the Petitioner's Total admitted Bill amount of Rs.23,35,640.90/- (Twenty Three lakhs Thirty Five Thousand Six Hundred And Forty and paise nine) only against the Bills dated 07.02.2022 submitted before the Respondents for supply of various items for Panchayat Election 2021 and for commissioning of EVM in Mobile Booths, PCCP Briefing Drop Gate Party, Dispatch and PCCP Despatch etc.

(ii) For also direction upon the Respondents to pay the arrears of Bill with



statutory interest @18% p.a. with cost to the Petitioner which has been kept pending for payment since long.

3. Learned counsel appearing on behalf of the petitioner has stated that in spite of completing the work and submitting the bills, the respondents have not paid the bill amounts due to the petitioner. Learned counsel has stated that the petitioner has given representations on 12.12.2022 ventilating her grievance but the authorities have not considered the said representation till date nor paid the bill amounts due to the petitioner. Learned counsel has stated that an amount of approximately more than Rs. 23 Lakhs is due from the respondents and the petitioner is facing great hardships and irreparable loss. Therefore, learned counsel has prayed that a direction may be given to the authorities to dispose off the representation made by the petitioner and the amounts due may be paid.

4. Per contra the learned counsel appearing on behalf of the respondents has stated that the petitioner may be directed to make a fresh representation to the District Magistrate and the said authority may be directed to dispose off the said representation by passing suitable orders.

5. Having regard to the above made submissions,



without going into the merits or demerits of the case, the present CWJC is disposed off directing the petitioner to make a fresh representation to the Respondent No. 4 i.e. the District Magistrate, Saran at Chapra within a period of four weeks from today. On such representation being made, the same shall be considered on its own merits and necessary orders passed.

6. It is needless to mention that before passing any order the petitioner shall be put on notice and given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the representation made by the petitioner. Any order passed shall be communicated to the party. If the District Magistrate comes to the conclusion that the claim of the petitioner merits consideration and amounts are payable, the same shall be paid immediately preferably within a period of four weeks.

7. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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