

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2097 of 2021

In
Civil Writ Jurisdiction Case No.10632 of 2019

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Ram Sevak Paswan Son of Late nandan Paswan Resident of Village and Post
- Dhurlakh, P.S. Dhurlakh, District- Samastipur.

... .. Petitioner/s

Versus

1. Mr. Anand Kishor, The Principal Secretary, Urban Development and Housing Department, Government of Bihar, New Secretariat, Patna.
2. Mr. Sanjeev Kumar, Executive Officer, Nagar Parishad (Nigam), Samastipur, District- Samastipur.
3. Mr. Tarkeshwar Nath Gupta, The Chairman of Standing Committee of Nagar Parishad (Nigam), Samastipur, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar, Advocate

For the Opposite Party/s : Mr. Subhash Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-04-2023 Heard learned counsel for the petitioner and learned
counsel for the Municipal Corporation, Samastipur.

In compliance of the order dated 05.04.2023, the
Municipal Commissioner, Samastipur Municipal Corporation
is physically present before this Court.

The learned counsel appearing for the Municipal
Corporation submits that the order passed by the learned Writ
Court stands complied.

It is next submitted that two cheques bearing No.
000017 and 000018 drawn on H.D.F.C Bank both dated
05.04.2023 for an amount of Rs. 3,57,390/- and Rs. 5,73,739/-



respectively is being handed over to the learned counsel for the petitioner.

The learned counsel for the petitioner, Sri Vikash Kumar Jha, accepts both the cheques.

The learned counsel for the petitioner, at this stage, submits that though a show cause has been filed on behalf of the Municipal Commissioner, Samastipur but then the same does not provide the calculation chart based on which the payment has been made.

The Municipal Commissioner, Samastipur who is present submits that the calculation chart shall be provided to the petitioner and in the event if it is found that certain amounts are still left to be paid that shall also be paid expeditiously.

The show cause filed on behalf of the O.P. No. 2 is taken on record.

At this stage, learned counsel for the petitioner submits that according to their calculation, the amount which is to be paid is nearly Rs. 53 lacs which also includes the interest as directed by the learned Writ Court i.e. interest at the rate of 9%, if the amount was not paid within the time so stipulated by the order.



The Municipal Commissioner, Samastipur himself submits that he will look into the matter in its entirety and assures the Court that all legitimate dues shall be paid to the petitioner.

The Municipal Commissioner, Samastipur raises a valid grievance that though he has made endeavours to make payments, but then the Municipality is a newly created Municipality and he is the first Municipal Commissioner.

The documents relating to the petitioner is also missing for which an F.I.R. has been instituted against the concerned Clerk and he has been put under suspension, but then he submits that if the dues are legitimate, endeavours definitely would be made and the same would also be brought to the notice of the Principal Secretary, Urban Development Department that how such matter is to be resolved and sorted out.

Considering the submission made by the learned counsel appearing for the Municipal Corporation, Samastipur and the Municipal Commissioner, the contempt application is disposed of with a direction, that the legitimate dues if any remains to be paid, the same shall be paid to the petitioner within a reasonable time.



The personal appearance of the Municipal Commissioner, Samastipur Municipal Corporation is dispensed with.

(Satyavrat Verma, J)

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