

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1008 of 2022

Manoj Kumar Rai S/o Late Parmanand Rai proprietor of Neelam Printers,
Resident of Mohalla Dehri-on- Sone, District- Rohtas, at presently Residing
at Mohalla Birla Colony Phulwarisharif, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary Rural Development Department Bihar, Patna.
2. The District Magistrate, Bhojpur, Ara.
3. The Deputy Development Commissioner cum Chairman of Tender Committee, Bhojpur, Ara.
4. The Block Programme Officer Block Garhani, Dt- Bhojpur, Ara.
5. The Block Programme Officer Block Tarari, Dt- Bhojpur, Ara.
6. The Block Programme Officer Block Charpokhari, Dt- Bhojpur, Ara
7. The Block Programme Officer Block Piro, Dt- Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uday Kumar, Adv.
For the Respondent/s	:	Mr. Harish Kumar (Gp 8)
For the State	:	Mr. Sudhanshu Bhushan, AC to GP-7

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

7 16-04-2024 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“i) For issuance of appropriate writ in the nature of mandamus seeking direction to Respondents to pay entire dues amount of Rs. 11,19,442 for his work done in different Block of district Bhojpur Ara for which bill was submitted by the petitioner and certificate for completion of work



was also granted by programme officer of different block but no payment has been made to petitioner up till now.

ii) For issuance of appropriate writ in the nature of mandamus seeking direction to respondents to pay the interest at the rate of 18% p.a from the date of completion of work.”

3. Learned counsel for the petitioner has stated that though the petitioner has completed the entrusted work and submitted the bills after due verification of the same by the officials of the respondents, the amounts have not yet been released till date by the authority concerned. Learned counsel has stated that till date an amount of Rs. 11,19,442/- is due to the petitioner and that the respondents may be directed pay the same.

4. In the counter affidavit filed by the Respondent Nos. 2 to 7 at para 6 and 7, it is specifically stated that to verify the works done by the petitioner, a three men committee was constituted and the committee has raised certain objections regarding the payment due to the petitioner. That the findings of the three men committee was communicated to the petitioner asking him to clarify the issues raised by the three men



committee and in case the petitioner resolves/ clarifys the said issue, necessary steps for payment of the bill will be taken. However, the petitioner till date has not rectified the same or replied to the said communication, therefore, the payments could not be made. Learned counsel for the petitioner has stated that after receipt of the communication the petitioner has gone to the office of the respondents but he was not allowed to meet anybody and, therefore, he had to return back without issuing any clarification on the queries raised by the three men committee report. Learned counsel for the petitioner states that the petitioner may be permitted to give a suitable reply/representation to the concerned authority duly clarifying the issues along with necessary documents in support of his case and the authorities may be directed to make the necessary payments.

5. Learned counsel appearing on behalf of the respondents has stated that in case the representation is given by the petitioner, the authorities will consider the same and necessary orders passed for making the payments due to the petitioner in accordance with law.

6. Without going into the merits or demerits of the case having regard to the above mentioned facts and



circumstances, the present writ petition is disposed of directing the petitioner to give his representation along with necessary documents to the communication received by the petitioner vide letter No. 1593/Vi dated 26.09.2018 within a period of four weeks from the date of receipt of the copy of this order. On receipt of the representation made by the petitioner, the authority shall consider the same and pass necessary orders for making payment of the due amounts to the petitioner as expeditiously as possible preferably within a period of eight weeks thereof. If any further clarification is needed, the petitioner shall be put on notice and given an opportunity of clarifying the same.

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

(A. Abhishek Reddy , J)

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