

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5076 of 2024

Victous (A Wireless Research And Service Company) Shri Krishna Puri, Bagmusa, Ward No- 4, Police Station- Hajipur, District- Vaishali through its Director Ravi Kant, Son of Mahesh Ray, Male, aged around 35 years, Resident of Village- Hilalpur near Hanuman Mandir Police Station- Hajipur, District- Vaishali. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Urban Development Department, Government of Bihar, Patna.
2. Commissioner, Patna Municipal Corporation, Patna.
3. Additional Municipal Commissioner, Sanitation/ Municipal Finance and Account Controller, Patna Municipal Corporation Patna.
4. Patna Municipal Corporation, Bankipur, Anchal Patna through Executive Officer, Patna Municipal Corporation.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Mr. Ashok Kumar, Advocates.
For the Respondent/s	:	Mr. Sumant Kumar Singh, AC to Government Advocate 2,
For PMC	:	Mr. Prasoon Sinha, Advocate

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

2 02-08-2024 The present writ petition has been filed for the following reliefs:-

I. For the payment of Rs. 24,59,235/- which is due against the material supplied by the petitioner in view of work order containing memo no. 154 dated 05.10.2019 under the signature of Executive Officer, Bankipur Anchal, which has been illegally withheld by the Respondent.

II. For issuance of writ in nature of mandamus or any other appropriate writs, order/orders, direction/directions for the direction to the Respondent to pay the admitted amount to the petitioner with interest of 14%.

III. For the issuance of writ in nature of mandamus or any other appropriate writ, order/orders, direction/directions to the Respondents to compensate the petitioner for the fact that he suffers a lot due to non-payment of amount, in spite of supply made by him within time as per demand.



IV. And also, for any other appropriate writ/writs, order/orders, direction/directions to the respondent for which the petitioner is otherwise entitled under the facts and circumstances of the case.

2. Learned counsel for the petitioner has stated that though the petitioner has supplied the material as per Memo No. 154 dated 05.10.2019, the amount payable to the petitioner has not been paid till date. Learned counsel has drawn the attention of the Court to the various documents filed showing that the material that has been supplied by the petitioner and the same has been verified by the authorities concerned. Learned counsel for the petitioner submits that a direction may be given to the Respondent No.2 to consider the case of the petitioner and make the necessary payments.

3. Learned counsel appearing for Patna Municipal Corporation has stated that the petitioner may give a representation ventilating his grievance along with necessary document and a direction may be given to the Respondent No.2 to consider the said representation and pass necessary orders for making the payment if the same is found to be genuine.

4. Having regard to the above made submissions, the present writ petition is disposed of granting liberty to the petitioner to make a representation along with necessary



documents to substantiate his claim with regard to the payments dues on the Corporation within a period of four weeks from today. On receipt of the said representation, the Respondent no. 2 shall consider the same and pass necessary orders. In case, the Respondent No.2 comes to the conclusion that the claim made by the petitioner is genuine, he shall make necessary arrangement for making the necessary payments. In case, the authority comes to the conclusion that the claim of the petitioner is not genuine, he shall pass a reasoned order giving reasons as to why the claim of the petitioner is being rejected.

5. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of filing of the representation by the petitioner. It is needless to mention that before passing any order the petitioner may be given an opportunity of hearing. Any order passed shall be communicated to the parties.

6. Accordingly, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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