

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7712 of 2023

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M/s Sangam Engineering Works, at C-1 and 2 Large Industrial Estate Bela,
P.O- M.I.C., P.S.- Bela, District- Muzaffarpur, through its Proprietor, Shatrujit
Kumar Jeewan, aged about 70 years, S/o Late Manohar Raut, R/o P.S.- Bela,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar Patna.
2. The Principal Secretary Urban Development and Housing Department,
Govt. of Bihar Patna.
3. The Directorl of Industries Department, Govt. of Bihar, Patna.
4. The Divisional Commissioner, Magadh at Gaya.
5. The District Magistrate, Gaya.
6. The Executive Officer, Nagar Panchayat/Nagar Parisad, Tekari, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Respondent/s : Mr. Abbas Haider (Sc 6)

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

8 22-01-2024 Heard learned counsel for the parties.

2. The present writ petition has been filed for the
following relief(s):-

*“i. For issuance of the writ in
the nature of certiorari for quashing of
order dated 21/02/2019 issued vide
memo no. 1508 dated 18/03/2019 passed
by micro and small enterprises
facilitation council Patna constituted
under MSMED Act 2006 passed in
reference case no.1/2018 as well as for
quashing of order dated 17/12/2020
issued vide memo No. 416 dated*



01/02/2021, The review application, filed by petitioner in reference case no.1/2018 passed by MSEF council whereby an where under claim of petitioner has been not entertained in spite of fact that respondent no.6 never appear in this case ignoring the notices issued to him.

ii. For issuance of writ in the nature of mandamus or any other appropriate writ or direction to respondent no. 6 namely The Executive officer Nagar Panchayat/Nagar Parishan, Tekari, Gaya to pay Rs. 768574/- (Seven Lakh Sixty-eight Thousand Five Hundred Seventy four) and along with penal interest I.. 19,61,403=77 paisa up to 29/02/2020 and further interest till payment of amount s per provisions of section 15 of MSMED Act. 2006 for supply of one piece of tractor Dala with Hdrolie, 100 pieces of Stand Post Dustbin capacity of 200 Ltr. And 10 pieces of hydrolic fibre plus G.I sheet Kudedan to respondent no. 6.”

3. Learned counsel for the petitioner has stated that the out of total bill amounts payable to the petitioner of Rs. 7,68,574/-, the respondents have already paid an amount of Rs. 6,45,516/- and the balance amount i.e. yet to be paid is



approximately Rs. 117781.42/-. Learned counsel has stated that the calculation given by the authorities that the entire amount payable to the petitioner has already been paid is not correct, the authorities have not calculated the income tax and the VAT which was paid by the petitioner.

4. Learned counsel appearing on behalf of the respondents has stated that authorities will examine the representation given by the petitioner on 08.11.2023 and in case the claim of the petitioner is found to be correct they will make the necessary payments.

5. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of with a direction to the respondent No. 6 to consider the representation dated 08.11.2023 (Annexure- P-9) and pass orders in accordance with law. In case the authority comes to the conclusion that the amounts claimed by the petitioner are genuine and need to be paid, the same shall be paid accordingly. However, in case the authorities reject the claim of the petitioner, they shall pass an order giving the reasons for rejecting the claim. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks from the date of



receipt of the copy of this order.

6. With the above directions, the present writ petitions stands disposed of.

(A. Abhishek Reddy , J)

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