

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10175 of 2024

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Ram Chandra Bhagat, aged about 63 years, Male, Son of Late Jagdhari Bhagat @ Late Jagdhari Singh, Resident of Village- Paroo Mathiya, P.S.- Paroo, District -Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Inspector General of Jail, Department of Jail, Patna.
2. The Senior Superintendent of Police, Muzaffarpur.
3. The Jail Superintendent, Sahid Khudi Ram Bose Central Jail, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.
For the Respondent/s : Mr. Sarvesh Kumar, GP-24.

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

5 03-12-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“For issuance of an order or orders, direction/directions, writ including writ in the nature of mandamus directing the respondents to pay the dues amount of Rs.6,75,259.13 (Rs. Six lakh seventy five thousand two hundred fifty nine & thirteen paisa) with penal interest of the petitioner who has supplied daily-use material in the Khudi Ram Bose Central Jail, Muzaffarpur.”

3. The present writ petition has been filed by the petitioner seeking payment of the dues for the goods which were supplied in the year, 2002 to the Respondent-Jail.



4. Learned counsel appearing on behalf of the petitioner has stated that the petitioner has been doing rounds of the authorities. Learned counsel has, therefore, prayed this Court to allow the present writ petition and direct the respondents to pay the amounts due to the petitioner.

5. Per contra, the learned counsel for the respondents has stated that the goods were supplied in the year 2002 and as on date there is no record with the authorities after a lapse of twenty years to substantiate that the petitioner has actually supplied the goods. Further, it is stated that most of the records which were with the respondents have already been destroyed in consonance with the prevalent rules and therefore, the authorities are in helpless condition. Learned counsel has stated that the petitioner may be directed to give a suitable representation to the competent authority i.e. Respondent No. 3 (the Jail Superintendent, Sahid Khudi Ram Bose Central Jail, Muzaffarpur) and the same shall be considered in accordance with law.

6. Having regard to the above made submission, the present writ petition is disposed of at the stage of admission with consent of both the parties. The petitioner is directed to give a suitable representation to the Respondent No. 3 within a



period of two weeks from the date of the receipt of the copy of this order. On such representation being given, the Respondent No. 3 shall consider the same and pass necessary orders strictly in accordance with law. In case, the respondent comes to the conclusion that the claim of the petitioner is genuine, he shall endeavour to pay the amounts due to the petitioner. However, in case, the respondent comes to the conclusion that claim of the petitioner is not tenable, he will pass necessary order giving the reasons for rejection. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of the receipt of the copy of the representation from the petitioner. Any orders passed shall be communicated to the parties.

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

(A. Abhishek Reddy, J)

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