

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11430 of 2023

Md. Firoz Alam Son of Md. Abdul Jabbar, Resident of Village- Rampur
Lodge Ward No. 15, Ashram Road, Police Station- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State Election Commission (Panchayat) 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna through its Secretary,
2. The Secretary, the State Election Commission (Panchayat), 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna.
3. The District Magistrate cum District Election Officer (Panchayat), Purnia, District-Purnia.
4. The District Panchayat Raj Officer, Purnia, District-Purnia.
5. The Deputy Development Commissioner, Purnia, District-Purnia.
6. The In-charge Additional Collector, District Abhilekhagaar, Purnia, District-Purnia.
7. The District Account Officer, Purnia, District-Purnia.
8. The State of Bihar through the Principal Secretary, Panchayati Raj Dept., Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Adv.
	:	Mr. Akash Kumar Mishra, Adv.
For the Respondent/s	:	Smt. Archana Meenakshee (Gp6)

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

4 22-08-2024 Having regard to the fact that there is a dispute with regard to the bills submitted by the petitioner and in the counter-affidavit filed by the respondents, it is stated that on enquiry it was found that some of the bills furnished by the petitioner were found to be forged, therefore, the amount payable to the petitioner was quantified at Rs. 37,11,972/- (Thirty Seven Lakh Eleven Thousand Nine Hundred Seventy Two) as against Rs. 84,80,718/- (Eighty



Four Lakh Eighty Thousand Seven Hundred Eighteen) raised by the petitioner. Admittedly, the enquiry has been conducted by the authority concerned behind the back of the petitioner without putting him on notice nor giving him an opportunity of representing his case.

2. Having regard to the same, the present writ petition is disposed of granting liberty to the petitioner to make a suitable representation along with the necessary documents to substantiate the bills raised by him and the District Magistrate-cum-District Election Officer (Panchayat), Purnia, District-Purnia (respondent No. 3) shall consider the said representation and verify the bills without advertting to the enquiry report. In case the claim of the petitioner is found to be genuine, the authority shall make the necessary payments and in case the authority is of the opinion that the claim of the petitioner is not genuine, he will pass a reasoned order giving the reasons for rejecting the claim. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of 12



weeks from the date of receipt of the representation from the petitioner. Any order passed shall be communicated to the petitioner.

3. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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