

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23590 of 2013

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1. The Sevak Seva Sansthan , Kutubpur, District: Vaishali (Hajipur) through its Secretary namely Ram Snehi Singh (S/O Late Ram Sevak Singh Resident Of Village- Kutubpur Kothi, P.S- Hajipur Sadar, District- Vaishali (Hajipur)
 2. Mr. Arun Kumar Singh S/O Late Paltu Singh Resident Of Village- Chaputa, P.S- Hajipur Sadar, District- Vaishali, The Cashier- Cum- Clerk, Sevak Seva Sansthan, Hajipur (Vaishali).

... .. Petitioner/s

Versus

1. The Chairman Municipal Council, Madhubani.
2. The Nagar Executive Officer, Municipal Council, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Respondent/s : Mr. Purushottam Jha, Adv.

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

11 12-01-2024 Heard learned counsel for the parties.

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

“(i) That by invoking writ jurisdiction of this Hon'ble Court, the instant writ petition is being filed on behalf of the petitioners abovenamed for issuance of an appropriate writ/writs, order/orders direction/directions in the nature of writ of Certiorari for quashing the notice dated 15.06.2013 issued under the signature of Respondent No. 2 contained in his Memo No. 91(Mu) dated 15.06.2013 whereby and whereunder Respondent No. 2 on the basis of report submitted by Accounting Committee,



pleased to adjust Rs. 4,84,820/- saying that Rs.7,00,005/- has been excess paid as per agreement.

(ii) Further for direction to the respondent authority to take a proper judicious and justified decision over the explanation filed by the petitioner dated 01.07.2013 and pay the rest due amount Rs. 11,90,000/- (Eleven lakhs ninety thousand only) so that the rest amount of labourers be paid.”

3. Learned counsel appearing on behalf of the petitioner has stated that the petitioner has given a representation to the Respondent No. 2 ventilating his grievance on 01.07.2013 (Annexure-5) but till date the authority concerned did not consider the same and pass any order. Learned counsel has stated that a direction may be issued to the Respondent No. 2 i.e. the Nagar Executive Officer Municipal council, Madhubani to consider the representation made by the petitioner and make the necessary payments in accordance with law.

4. Learned counsel for the respondents has stated that he has no objection if direction is given to the Respondent No. 2 to consider the representation made by the petitioner and pass necessary orders strictly in accordance with law.

5. Having regard to the above made submission, the present writ petitioner is disposed off with a direction to the



Respondent No. 2 to consider the representation dated 01.07.2013 (Annexure-5) made by the petitioner as expeditiously as possible preferably within a period of four weeks from the date of the receipt of the copy of this order. The Nagar Executive Officer, Municipal Council, Madhubani shall consider the representation made by the petitioner and pass necessary orders and in case, the claim of the petitioner is found to be true, make necessary payments. In case, the claim of the petitioner is to be rejected the Respondent No. 2 shall pass a reasoned order strictly in accordance with law for rejecting the said claim and communicate the copy of the order to the petitioner.

6. With the above directions, the present writ petition stands disposed off to the extent indicated above.

(A. Abhishek Reddy , J)

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