

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.76 of 2025

In
Civil Writ Jurisdiction Case No.5403 of 2024

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1. The State of Bihar through Collector, Vaishali at Hajipur.
 2. The District Election Officer-cum-District Magistrate, Vaishali at Hajipur.
 3. The Deputy Election Officer, Vaishali at Hajipur.
 4. The Additional Collector, Vaishali at Hajipur.
 5. The District Panchayat Raj Officer, Vaishali at Hajipur.
 6. The District Accounts Officer, Vaishali at Hajipur.

... .. Appellant/s

Versus

Vaishali Tent House through its Proprietor Niharika Kumari, W/o- Niraj Kumar, R/o- Anwarpur Chowk Hajipur, P.S.- Hajipur Sadar, District- Vaishali, Pin- 844101.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay, GA-5
		Mr. Akash Raj, AC to GA-5
For the Respondent/s	:	Mr. Anil Kumar, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 06-05-2025

Re.- I.A. No. 1 of 2025

The learned Advocate for the appellants/ applicants presses I.A. No. 1 of 2025 for condoning the delay of 91 days in preferring this appeal.

2. For the reasons stated in the application, the delay of 91 days in preferring



this appeal is condoned.

3. I.A. No. 1 of 2025 stands allowed.

Re : LPA No. 76 of 2025

4. By the impugned judgment, a direction has been issued to the appellant/ State to make payment of the bills submitted by the sole respondent for having erected tents in 2019 General Parliamentary Elections and General Local Body Elections 2022.

5. It appears that a consolidated bill of Rs. 48,92,318/- was submitted by the respondent against which bill, only a paltry amount was paid.

6. The appellants have raised objection with respect to the correctness of the bill. Their assessment is that the bill is over-exaggerated. This objection was raised by the appellants before the learned Single Judge also but, Mr. Ajay, the learned Senior Advocate asserts that no heed was paid to that and the writ petition was decided as if a money claim was being



decided.

7. As opposed to the aforementioned contention, the learned counsel for the respondent has submitted that the bills were not exaggerated; rather it was on the same terms and conditions on which the agreement was entered into between the parties.

8. However, both the parties are agreeable that the State shall provide to the respondent the reasons for deducting 80% of the bill amount and the respondent would give reasons why the bills are not over-exaggerated.

9. We, therefore, direct that the State shall, by way of notice to the respondent, shall ask him to come to the office of the District Election Officer-cum-District Magistrate, Vaishali where the bills submitted by him shall be discussed and he would be made known why a major part of the bill amount has been deducted.

10. In case, the parties reach a stage of



accord and satisfaction, that shall be the end of the matter.

11. If not, the respondent shall state the reasons why the bills have been found to be exaggerated and not payable and shall make it known to the respondent. The respondent, if so desired, may challenge that decision before the appropriate forum.

12. The whole exercise shall be completed within a period of two months to be counted from today.

13. With the aforementioned directions, the appeal stands disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Saurabh

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