

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16125 of 2018

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Md. Nasiruddin son of Shekh Jismat Ali, resident of Village- Ward No. 06,
Chainsinghpatti, P.S. and District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary. Food & Consumer Protection Department, Government of Bihar, Patna
2. The Additional/Joint Secretary, Food and Consumer Protection Deptt. Govt. of Bihar, Patna.
3. The District Magistrate, District- Supaul.
4. The District Supply Officer, Supaul.
5. The Assistant District Supply Officer, District- Supaul.
6. The Sub- Divisional Officer, Supaul.
7. The Block Development Officer, Supaul.
8. The Block Supply Officer, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Advocate
For the Respondent/s	:	Mr. S.Raza Ahmed -AAG 5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-08-2025

1. The petitioner has filed the Writ petition
for the following reliefs:-

*“(i) For issuance of a writ in
the nature of Mandamus, or any
other appropriate writ, order or
direction for commanding the District
Supply Officer, Supaul to pay the
petitioner Rs.2,99,275-34, for the
period December, 1999 to January,
2000, of transporting and*



commission of levy sugar.

II) For issuance of a writ in the nature of Mandamus or any other appropriate writ, order, direction to the respondent authorities to comply the order and direction vide Memo No. 513-2/Aa, dated 21.05.2018, in which the District Supply Officer, Supaul requested to the Additional Secretary, Food & Consumer Department Government of Bihar to release the amount of Rs. 2,99,275=34, to pay the petitioner.

III) For issuance of any other appropriate writ, order/orders, direction/directions for which the petitioner shall be found entitled under the facts and circumstances of the case.”

2. At the very outset, the Learned counsel for the petitioner draws attention of this Court towards the statements made in the counter affidavit filed on behalf of respondent Nos. 3 to 8. For better appreciation of the facts, the relevant paragraphs of the counter affidavits have been quoted hereinbelow:-



“6. That following the order of District Magistrate, Supaul the petitioner brought the total 2366 quintals of levy sugar from Majhauriya Sugar Mill and a bill of Rs. 2,99,275.34 of transportation and commission was submitted by the petitioner for the payment.

7. That the District Magistrate, Supaul vide letter no. 465-2/Supply sent a letter attaching the original bill to the Secretary, Food and Consumer Protection Dept, Bihar, Patna for further action. Thereafter a series of correspondence have been made with the Department.

8. That thus the District Administration has repeatedly requested the Dept, to allot Rs. 2,99,275.34 in order to pay the dues of petitioner.

15. That the statement of para-13 of the writ petition is partly correct. The District Magistrate Supaul took response and D.S.O. Supaul was directed to take legal steps on the petition of the petitioner, which is annexed as Annexure 7.

17. That the statement of para-15 is partly correct, the answering respondents provided their documentary evidence before the District Public



Grievances Redressal Officer, Supaul to pay the petitioner Rs. 2,99,275.34."

3. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

4. From perusal of the aforesaid pleadings, it is evident that the work in question is not in dispute and that the admitted unpaid balance amount of the petitioner should have been paid by the respondents.

5. The Hon'ble Supreme Court as well as this Court have also held in catena of decisions that admitted dues of the applicant should be paid by the respondents immediately without any delay.

6. Having regard to the facts, the respondent- Secretary Food, Supplies and Consumer Protection, Department Government of Bihar, Patna is directed to make available the funds to the concerned respondents for payment of the admitted dues of the petitioner, as expeditiously as possible, preferably within a period of two months from the date of receipt of a



copy of this order.

7. With the aforesaid observations, this writ petition stands allowed.

8. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.08.2025
Transmission Date	

